**IN THE HON'BLE HIGH COURT OF**
**JUDICATURE OF BOMBAY, AT PANAJI GOA**

PIL WRIT PETITION NO._____ OF 2020

IN THE MATTER OF ARTICLES 21, 48A, 51A (g), 226 AND 227 OF THE CONSTITUTION OF INDIA AND RULE 4(e) of THE BOMBAY HC PIL RULES;

AND

IN THE MATTER OF THE WILDLIFE PROTECTION ACT, 1972

AND

IN THE MATTER OF UNWARRANTED DELAY ON THE PART OF GOA GOVERNMENT TO NOTIFY A TIGER RESERVE IN THE STATE OF GOA WHICH HAS NOW LED TO THE KILLING OF FOUR TIGERS

1. The Goa Foundation
   through its Secretary, Dr. Claude Alvares,
   Having Regd. Office at
   Room No 7, Above Mapusa Clinic,
   Mapusa, Goa 403 507
   PAN No. AAAAG0249C
   Email id: goafoundation@gmail.com ……Petitioner

V/s

1. State of Goa,
   Through its Chief Secretary,
   Secretariat, Porvorim, Goa

2. The Goa State Board for Wildlife,
   through its Member Secretary, CWW,
   with address at Gomantak Maratha Samaj Building,
   Panjim, Goa 403001

3. The Chief Wildlife Warden,
   Madei Wildlife Sanctary,
   with address at Gomantak Maratha Samaj Building,
   Panjim, Goa 403001

4. Principal Chief Conservator Of Forests (PCCF)
   Government of Goa,
   with address at Gomantak Maratha Samaj Building,
   Panjim, Goa 403001

5. National Tiger Conservation Authority
   B-1 Wing, 7th Floor,
   Pt. Deendayal Antyodaya Bhawan,
   CGO Complex, New Delhi-110003.

6. Ministry of Environment, Forests & CC,
   Through its Secretary,
   Indira Paryavaran Bhavan,
   Jor Bagh Rd, New Delhi 110 003 ….Respondents

(Above addresses are registered addresses of parties)

To,

The Hon'ble Chief Justice and Companion Judges,

Bombay High Court at Panaji, Goa

THIS HUMBLE PETITION OF THE PETITIONER

MOST RESPECTFULLY SHOWS

**Particulars of the Cause against which PIL is filed**

1. This PIL is filed in public interest on behalf of the tiger population and associated wildlife of the Western Ghats, seeking directions to the Government of Goa to notify a tiger reserve for the tigers of the state and of adjoining wildlife sanctuaries. This urgent relief is sought in the wake of the tragic killing of 4 tigers in Madei Wildlife Sanctuary in January, 2020. The purposeful killing has

also revealed the urgent need for better management of the protected areas in the state and of tiger-human conflicts. These PAs of Goa form an integral habitat for the tigers in Goa and in the rest of the contiguous Western Ghats complex.

2. The recommendation to declare a tiger reserve for the tiger population of the state has now been made multiple times by the National Tiger Conservation Authority in 2011 and 2016. The government is bound to act on these recommendations, as per Section 38 (5)(i) of the Wildlife Protection Act, 1972. A recent investigation by a two-member team constituted by the National Tiger Conservation Authority (NTCA) to inquire into the 4 tiger deaths has also unequivocally recommended the declaration of a tiger reserve in the state, failing which, according to it, Goa could become a "death trap" for tigers. Hence this PIL.

**Particulars of the Petitioners**

3. The Petitioner is an environmental NGO based in Goa who has approached both, this Hon'ble Court and the Hon'ble Supreme Court, time and again over the past three decades, in public interest, for enforcement of the provisions of environment, protection of wildlife sanctuaries, turtle conservation, forests, coastal regulation, land use, pollution and mining laws. All its members are citizens of India. The average annual income of the Petitioner organization is around Rs.9 lakhs. The Petitioner states that there is no civil, criminal or revenue litigation involving the Petitioner organization which has or could have a legal nexus with the issue involved in this PIL. Registration certificates and resolution of the petitioner

organization is herein marked and annexed to the petition as **Annexure 1 colly.** Undertaking that the petitioner will disclose the source of information leading to the filing of the PIL is herein marked and annexed at **Annexure 2**.

**Declaration of the Petitioner**

4. The Petitioner states that this petition is filed by way of public interest. The petitioner does not have any personal interest in the matter. Reliefs claimed are in public interest and in the interests of tiger conservation and wildlife.

5. The Petitioner states that the entire litigation costs and other charges are being borne by the petitioner.

6. Petitioner states that adequate research has been conducted in the matter raised through the petition and all relevant material has been annexed to the petition. More may be added, if necessary, at later stage.

7. The Petitioner states that to the best of its knowledge and research the issues raised in the petition were not dealt with or decided and that a similar or identical petition was not filed earlier by the petitioner on the same matter either in this Hon'ble Court or in the Supreme Court of India. Petitioner states that this Hon'ble Court has jurisdiction to hear and decide this matter.

8. The Petitioner has understood that in the course of hearing of this petition, the Court may require any security to be furnished towards costs or any other charges and the petitioner shall comply with such charges.

**Facts constituting the cause**

9. Four wildlife sanctuaries in Goa – Mhadei Wildlife Sanctuary, Mollem Wildlife Sanctuary and Bhagwan Mahavir National Park, Cotigao Wildlife Sanctuary and Netravali Wildlife Sanctuary form a contiguous belt of integral and pristine wildlife habitats admeasuring about 750 sq. km. along Goa's eastern region. Beyond the Goa state boundary, this belt is contiguous with tiger reserves and protected areas of Karnataka and Maharashtra. Together, this entire belt forms an integral uninterrupted wildlife habitat in the Western Ghats complex, secure for wildlife. A map of the contiguous complex is enclosed as **Annexure 3.** The PAs of Goa also form an important part of the Western Ghats Endemic Bird Area (EBA).

10. Wildlife recorded within the protected areas of Goa include tigers, leopards, sloth bears, gaurs, barking deer, sambar deer, ruddy mongoose, Asian palm civet, small Indian civet, dhole, jungle cat, wild boar, Indian hare, giant squirrel, Indian pangolin and bonnet macaque. Mhadei WLS also has very good reptilian fauna and eight out of the 14 Pit Vipers found in India – which include the Green Pit Viper and Hump nosed Pit Viper – are found here. The tiger is an apex animal: its presence indicates a healthy community of wildlife.

11. While Mollem and Cotigao WLSs were notified earlier, the remaining gaps in the wildlife habitat were filled with the notification of Madei and Netravali WLSs in the year 2000, making all the 4 WLSs a contiguous protected area. The proposals

setting out the ground for the declaration of these areas as wildlife sanctuaries explicitly record that these areas are a prime tiger habitat, that there were tiger sightings in earlier as well as in recent times in several places by the locals and that the villagers were familiar with a cave visited by the tigers as well as the waterhole frequented by the tigers. Copies of the proposals which led to the notification of the Mhadei WLS and Netravali WLS are enclosed as **Annexure 4 colly.**

12. In 2006, the Wildlife Protection Act, 1972 was amended to provide for provisions for tiger conservation and to constitute the National Tiger Conservation Authority (NTCA) – now a statutory body under the Ministry of Environment, Forests and Climate Change – for strengthening tiger conservation. The NTCA which has been constituted to implement "Project Tiger" is empowered under the relevant Chapter of the WLPA to take steps to ensure the conservation and protection of tigers and their habitats. Most pertinently, on the recommendation of the NTCA, which is an expert body, state governments are statutorily bound to notify tiger reserves in their respective states.

13. In 2010, the NTCA, in its Report titled "Status of tigers, co-predators and prey in India, 2010" described the Goa stretch of the Western Ghats as an important tiger corridor between the Anshi-Dandeli tiger reserve and the Sahyadris. The Report states that Goa can potentially be home to a small breeding population of tigers which would be sustained by immigrants from Anshi-Dandeli as well as Sahayadri. It would therefore benefit from being

incorporated as part of the tiger reserve complex. A copy of an extract from the Report titled "Status of tigers, co-predators and prey in India, 2010" is herein marked and annexed as **Annexure 5.**

14. Subsequently, vide letter dated 28.06.2011, the then Minister of State (independent charge) of the Ministry of Environment & Forests – and Chairperson of the NTCA – wrote to the Chief Minister of Goa with a request to declare the Mhadei Wildlife Sanctuary as a Tiger Reserve. The letter states that "a study carried out by the Wildlife Institute of India in 2008 pointed out that the protected areas of Goa and their contiguous forests in Karnataka and Maharashtra are possibly some of the best potential tiger habitats in the Western Ghats region and they are in need of protection." Further, that "there is considerable local community support for the creation of a tiger reserve and for wildlife conservation. By declaring Mhadei Wildlife Sanctuary as a tiger reserve, we would also ensure the long term protection of these biodiversity rich areas." The letter concluded by urging the Government "to give the idea serious consideration and to submit a proposal to the Central Government in order to take it forward quickly." The letter also suggested that the government might also want to consider expanding the tiger reserve beyond the existing Mhadei Wildlife Sanctuary. Copy of the letter dated 28.06.2011 is **Annexure 6**.

15. In 2014, a nation-wide census of tigers was conducted under Project Tiger. The NTCA's "All India Estimation of Tigers" reported the presence of 5 tigers in the State of Goa. The relevant extract of the report is enclosed as **Annexure 7.**

16. On 31.03.2016, the Inspector General of Forests, MoEF & CC-NTCA, wrote to the PCCF/CWW, Goa, regarding the constitution of a tiger reserve in the state of Goa. The letter refers to the "Status of tigers and co-predators" report and states that as per the report, the Cotigao-Mhadei forest complex has recorded tiger presence, meaning thereby having potential to head tiger population. In view of the above, the letter states that "it would be in the fitness of things to notify the said area as a tiger reserve." In that context he stated, "I am directed to request you that a proposal in this regard may be sent to this Authority from the State Government as required under Section 38 (V) of the Wildlife Protection Act, 1972 to enable us to take further steps in the matter." Copy of the letter dated 31.03.2016 is enclosed as **Annexure 8.**

17. Shortly thereafter, vide letter dated 20.04.2016, the Conservator of Forests wrote to the Dy. Conservator of Forests, Wildlife & Eco Tourism Department (North and South) regarding the proposal for the constitution of a tiger reserve in Goa. The letter directed the Dy. Conservator of Forests to demarcate the continuous forested habitat of the protected areas in the Western Ghats – excluding the human habitation/villages – which could form a part of the core of the future Tiger Reserve in Goa. It also

directed that a map showing the linkages to the PA/Tiger Reserve of Karnataka and Maharashtra be prepared and submitted by the end of June, 2016. A copy of the letter dated 20.04.2016 is enclosed as **Annexure 9.**

18. Thereafter, on 20.06.2016, a meeting was convened by the Conservator of Forests to discuss the plan of action for finalization of the tentative tiger reserve proposal. The minutes of the meeting record that the Dy. Conservator of Forests, Working Plan division, informed the attendees (comprising DCFs – North and South – ACFs and forest surveyors) that a tentative demarcation for the potential core area of the tiger reserve had been completed by the Office of the Dy. Conservator of Forest (North) and a similar exercise was to be carried out by the Dy. Conservator (South) within a week's time, after which the Chief Forest Surveyor would prepare a tentative Tiger Reserve map. Subsequently a comprehensive proposal for "Constitution of New Tiger Reserve" would be compiled and submitted to the PCCF. All Forest Officers were agreeable to this plan. A copy of the minutes of the meeting dated 20.06.2016 is enclosed as **Annexure 10.**

19. The constitution of a Tiger Reserve was also an important part of the agenda (Item 3.7) of the Goa State Board for Wildlife meeting held on 12.10.2016, presided over by the Chief Minister, wherein the Board was informed that in view of the presence of tigers having been reported from Goa as a part of the All India Estimation of Tigers in the year 2014, the NTCA had requested

for the constitution of a Tiger Reserve in the state. Pursuant to the same, an area of 590 sq km – that is relatively free of human habitation – had been identified as the likely area and the mapping process was underway. That a final proposal would be brought to the Board for approval before it was sent to the NTCA for consideration. A copy of the relevant extract of the minutes of the meeting of the GSBW dated 12.10.2016 is enclosed as **Annexure 11.**

20. Thereafter it appears that a consolidated map showing the proposed tiger reserve was prepared by the Dy. Conservator of Forests, and correspondence back and forth regarding additional information and clarifications ensued. Vide letter dated 13.12.2016 the Dy. Conservator of Forests wrote to the Dy. Conservator of Forests (Working Plan Division) enclosing the proposed Tiger reserve plan for Mhadei Wildlife Sanctuary and Bhagwan Mahaveer Wildlife Sanctuary & National Park, Mollem, showing the location of all habitats, weather roads, large habitats excluded from the tiger reserve and household particulars in and outside the proposed tiger reserve. A copy of the letter and tiger reserve map is enclosed as **Annexure 12.**

21. On 18-19.11.2017, Dr. Debrata Swain, Addl. Director General of Forests (Project Tiger) and Member Secretary (NTCA) visited Goa and discussed the status of tigers and their conservation in the state of Goa. The Tour Note records that on 19.11.2017, the NTCA member visited the Mhadei Wildlife Sanctuary and was informed by the PCCF that the Govt of Goa is considering

constituting the four wildlife sanctuaries as a proposed Tiger Reserve. The note records that "the PCCF, Goa, was requested to submit the proposal as soon as possible and the proposal would be considered favorably by the NTCA." A copy of the Tour Note is enclosed as **Annexure 13.**

22. The issue was further discussed at the meeting of the Goa State Board for Wildlife on 16.12.2017 (Agenda Item 4.5). As per the minutes, the member secretary informed the members that a tiger reserve map had been prepared after the area was extensively studied by the Forest Department in association with wildlife expert Dr. A.J.T Johnsingh, Retd. Scientist, Wildlife Institute of India. The chairperson sought a study on the socio-economic impact on locals residing in the fringe areas, before discussing the same before the Board. A copy of the relevant extract of the minutes of the meeting is enclosed as **Annexure 14.**

23. The Petitioners have obtained via RTI, an Office Note dated 23.03.2018 prepared by the Dy. Conservator of Forests which contains the details of a Draft Proposal for the tiger reserve in Goa. The note begins with a reference to the letter dated 31.03.2016 received from the Inspector General of Forests, MoEF&CC (Annexure 7) urging the State of Goa to send a proposal for the constitution of a tiger reserve in Goa. The note lists the Western Ghats landscape complex (Karnataka, Kerala, Tamil Nadu and **Goa**) as one of four key tiger habitats with 776 tigers – which is the highest among all 4 tiger habitats in the country. The Note states that out of 745.18 sq km of the (contiguous) protected area,

about 578.33 sq km is proposed as core zone and about 166.85 sq km as buffer zone. It further provides details pertaining to the extent and constitution of the reserve, the status of human habitation and relocation of villages. As per the draft proposal, locations in the PAs having large habitations have been left out from the proposed reserve whereas smaller habitations have been included. The proposal was submitted to the CWW for perusal and appraisal. The Petitioner states that the Note refers to some Annexures, but these were not found in the file with the Forest Department during the RTI inspection. A copy of the Office Note dated 23.03.2018 (without the annexures), is enclosed as **Annexure 15.**

24. However, to the best knowledge of the petitioner, the "tiger trail" comes to a grinding halt thereafter, with no further steps having been taken in this regard. A subsequent meeting of the Goa State Board for Wildlife was held in fact on 02.12.2019 where the issue of the Tiger Reserve was not discussed at all.

25. According to a press release from the Ministry of Environment, Forests and Climate Change (MoEF & CC) dated 02.12.2019, the Indian Government has mapped 32 major tiger corridors inside and outside protected areas across the country, as part of a long-term conservation strategy for the big cats. It states that the National Tiger Conservation Authority in collaboration with the Wildlife Institute of India has published a document titled "Connecting Tiger Populations for Long-term Conservation" in which the mapping of important tiger corridors in the country has

been done, and management interventions for which are operationalized through a Tiger Conservation Plan, mandated under Section 38 V of the Wildlife Protection Act, 1972. In the Western Ghats Landscape, 8 important corridors have been identified, Goa being named in the **Sahyadri-Radhanagari-Goa** corridor of Maharashtra and Goa, which is adjacent to the Dandeli Anshi-Shravathi Valley corridor of Karnataka. Copy of the press note titled "Tiger Corridors in India" dated 04.12.2019 is enclosed as **Annexure 16.**

26. Petitioner also places on record the relevant extract from the NTCA-WII report "Connecting Tiger Populations for long-term conservation," which states that Western Ghats landscape has the potential to have contiguous tiger occupancy from Dang forests in Gujarat up to the Palakkad gap in Kerala and compared to other tiger landscapes of India such as Central India and Shivalik-Gangetic Plains, tiger populations of Western Ghats are better connected with each other due to conducive habitat matrix for tiger occupancy. The narrow forest connectivity of Western Ghats ridge between Goa and Maharashtra also plays an important role in facilitating contiguous tiger occupancy of this landscape. The relevant extract of the report is at **Annexure 17.**

27. It is not known whether and why the substantial efforts to declare major portions of the 4 wildlife sanctuaries as a tiger reserve have been halted. However, the issue of a Tiger Reserve in Goa was sharply brought into focus this year when, in January, 2020, newspapers reported the tragic killing of 4 tigers in the Mhadei

Wildlife Sanctuary (a female with her pups). Reportedly the recent killing of domestic animals led to the tigers being poisoned out of desperation by the villagers. The relevant news reports are enclosed as **Annexure 18.**

28. Soon thereafter, the NTCA constituted a team to enquire into the killing of the tigers. The team comprised of AIGF, NTCA, Regional office, Bengaluru and representative of Regional Deputy Director, Wildlife Crime Control Bureau (WCCB), Western Region, Mumbai. In addition to a number of findings regarding the deficiencies in the management of the protected area, the NTCA report, unequivocally recommends the declaration of tiger reserves in the state, failing which Goa could become a "death trap" for tigers. A copy of the NTCA report (excluding the annexures – which are largely photographs and site maps) is enclosed as **Annexure 19**. It gives full details of the investigation into the deaths of the 4 tigers, more importantly it makes 23 observations about the existing situation in the wildlife sanctuaries and makes 17 recommendations. Some of the recommendations and observations are excerpted below.

**Recommendations** (relevant excerpts)

1. **Declaration of Mhadei Wildlife Sanctuary as Tiger Reserve:** In view of the unfortunate death of tigers, the state government may take immediate steps for enhancing the legal status of 'Mhadei Wildlife Sanctuary' to that of a tiger reserve. Declaring the sanctuary as Tiger Reserve will provide much needed access to technical, financial and

monitoring support from NTCA for safeguarding the conservation values of the sanctuary. It will also empower the local communities residing inside the sanctuary by giving access to development opportunities as they will be able to utilize the voluntary resettlement scheme for joining the mainstream society. Further, after conducting a scientific assessment of remaining protected areas of the state by Wildlife Institute of India, the state government may consider bringing the potential tiger habitat of Goa within tiger reserve network of Western Ghats.

2. **Setting up of Anti-poaching Camps**: While the process of tiger reserve declaration is on, Anti-Poaching Camps should be set up at strategic locations inside all protected areas of Goa and intensive patrolling regime should be put in place under the direct supervision of CWLW, Goa.

29. Some of the report's **Observations** are listed below:

**Observations:**

5. The unfortunate death of four tigers has also revealed that not all is well with the management of Mhadei Wildlife Sanctuary. According to wildlife activists …….. the Forest Department has not taken any serious and sincere steps for protection and conservation of tigers.

6. There exists no proper protection mechanism inside the sanctuary like network of well-connected Anti-Poaching Camps (APC) at strategic locations manned by Forest Guard /

Watchers round the clock and year which is a very common feature of well managed PA / Tiger Reserve…… There are only four camps at Codal, Nagargoa, Valpoi and Caranzol for a sanctuary spread over an area of more than 200 sq km!

7. In absence of any organized APC network and regular patrolling, it is very difficult to know what exactly is happening to the flora and fauna of this otherwise biodiversity rich sanctuary of the Western Ghats. It is highly possible that tigers, their prey base and other flora, fauna might be subjected to varying degrees of poaching pressure but there is no way to know unless a good protection and information network is put in place.

9. The wireless communication network, a basic and an important requirement for exchanging information inside a PA was found to be lacking in the sanctuary. ….. Without any functional wireless network in place, timely exchange of information becomes very difficult.

12. Villagers (particularly from Dhangar-Gouly community) allege that there have been several instances of cattle depredation by the tigers/ leopards in the past but hardly any compensation was given by the Forest Department officials or action is taken. There appears to be some truth in these allegations because when the team had asked sanctuary officials to furnish the details of livestock depredation of last 3 years, the officials replied that there were no incidents of livestock depredation.

17. The Protected Areas of Goa (Mhadei WLS and Mollem WLS) are part of Western Ghats landscape complex which has the unique distinction of having the world's largest tiger population. This landscape has several interconnected tiger reserves and protected areas along with Reserve Forests.

18. According to Status of Tigers in India, 2014 report, Goa has a persistent tiger presence with a conservative estimate of 3-5 tigers but possesses high potential to serve as home for breeding tigers.

20. The latest proof regarding connectivity of tiger populations in Western Ghats is that of a tiger photo capture obtained on 11th January, 2020 in a camera trap installed at Derodem, Goa after the tiger had killed a cow of a farmer. Upon comparison of the tiger picture obtained at Derodem with that of the tiger photo-database of the Tiger cell, Karnataka Forest Department, it was observed that the image was that of 6–7-year male tiger from neighbouring Kali Tiger Reserve. The said tiger was first camera captured in Kali Tiger Reserve in 2016. Without up-grading the legal status of Goa's Protected Areas to that of tiger reserve and putting in place a strong protection regime in place, the state may become a death trap for tigers dispersing in this landscape.

21. The issue of declaring Mhadei Wildlife Sanctuary as a “Tiger Reserve” is a long pending one, with the central government initiating steps way back in the year 2012 by requesting the Goa state for submission of a proposal.

22. The findings of a recent (2017) study made to assess the economic valuation of tiger reserves for various ecosystem reserves such as employment generation, water provisions and purification, recreation, waste assimilation, etc, indicate that the annual flow of benefits derived from tiger reserves range from $128 million to $271 million. Contrary to the claims of certain vested interests that declaration of tiger reserves will stall the development of the state, this economic evaluation study by NTCA and the Indian Institute of Forest Management (IIFM) clearly establishes that tiger reserves make a significant contribution to the state economy by providing various ecosystem services.

23. In view of the significant gains contributed by tiger reserves, it is probably right time for the State of Goa to take forward the State Board for Wildlife decision and submit proposals for declaration of not just for Mhadei Wildlife Sanctuary but also Bhagwan Mahavir National Park, Bhagwan Mahavir Wildlife Sanctuary, Cotigao Wildlife Sanctuary and Netravali Wildlife Sanctuary as Tiger Reserves. This move will not only secure the habitat for mega carnivores and the associated floral & faunal diversity at the state level but also contribute towards conservation of Western Ghats, a biodiversity hot-spot and a "World Heritage Site."

30. The 2-member NCTA report has also criticized the Goa Govt for not having a management plan for the state's PAs. It states: "Unfortunately even after more than two decade of declaring

Mhadei as Wildlife Sanctuary, it is managed on completely ad-hoc basis as there exists no management plan for such an important sanctuary of Western Ghats. It gives an impression that wildlife management appears to be a subject which is of least priority for the Goa Forest Department." Further, "though Working Plan division has prepared the GIS shape file of the sanctuary but it appears that no systematic and sincere efforts have been made on the ground for delineating the boundary of the sanctuary."

31. On obtaining a copy of the above report via RTI in early February, 2020, the Petitioner immediately wrote to the Chief Minister of Goa vide letter dated 13.02.20 and to the Secretary (Forests), Govt. of Goa enclosing a copy of the report and to request that action, as recommended by the NTCA, be taken by the Government and that tiger reserves be notified in the state. The letter requested that this matter be treated with the urgency it deserves to ensure a safe and secure habitat for tigers and other wildlife to thrive within the protected areas of Goa and the contiguous wildlife habitats within the Western Ghats. A copy of the letter was also sent to the PCCF on 17.02.20. Copies of the letters to the Chief Minister and the Secretary (Forests) dated 13.02.20 and to the PCCF dated 17.02.20 are enclosed as **Annexure 20 colly**.

32. To the best knowledge of the petitioner – and from examination of the files – no further steps have been taken by the Government of Goa to declare a tiger reserve in the State after the draft proposal was prepared in 2018. In view of the multiple representations from the NTCA, the Government is statutorily bound under the provisions of the Wildlife Protection Act, to notify the recommended Tiger Reserves. Section 38 (5)(i) of the WLPA, 1972 states that the State Government shall, on the recommendation of the Tiger Conservation Authority, notify an area as a Tiger Reserve. The Tiger Conservation Authority is defined as the National Tiger Conservation Authority constituted under Section 38-L of the WLPA, 1972.

33. From the documents and reports set out in the petition, it is abundantly clear that the NTCA has assured the Goa government several times that a proposal from it would be processed favorably. There is no justifiable reason for this inaction which has already led to the irreversible loss of 4 tigers in January, 2020. While the Petitioner laments that nothing can be done to bring back the priceless and majestic creatures already lost, it is incumbent upon the Government to ensure proper protection for the remaining tigers in the state and the protection of their habitat for the years to come. Notification of a Tiger Reserve in Goa would also benefit and protect the local communities living in and around the protected areas.

33A. The petitioner states that the Central Empowered Committee (CEC) has also taken a firm stance to ensure that the tiger habitat in Goa is afforded the highest protection. This is abundantly clear in its report dated 23.4.2021, relevant extracts of which are enclosed as **Annexure 21**.

33B. The CEC was constituted by the Hon'ble Supreme Court to advise it on matters related to the state of the country's forests and wildlife. This petitioner had filed an application before the CEC (No 1440/2020) against wildlife clearances / approvals granted for three large scale infrastructure projects (railway, highway and High Tension Line) passing through the Bhagwan Mahaveer WLS and National Park, interalia as these areas form part of an important tiger corridor and that a proposal for the notification of a tiger reserve including this area is pending before the State Govt. In its report, the CEC has specifically cited the importance of Goa's protected areas as a part of the contiguous tiger reserve network in the western ghats and has recommended the revocation of the permissions granted for the railway project that would pass through the tiger habitat. The CEC report notes that it was inexplicable that a report from the National Tiger Conservation Authority was not sought for the protected area of Goa through which the project passes, although such permission was sought with regards to the same project passing through the tiger reserve in Karnataka, The NTCA has repeatedly recommended to the State Government to notify the tiger reserve as per Section 38 (V) of the Wildlife Protection Act, 1972.

33C. Some relevant paragraphs from the CEC report are quoted below:

**"OBSERVATIONS OF NATIONAL TIGER CONSERVATION AUTHORITY (NTCA) UNDER SECTION 38 (O) OF WILD LIFE (PROTECTION) ACT, 1972**

**TIGER DISTRIBUTION, DISPERSAL AND CONNECTIVITY RELATED OBSERVATIONS**

24. The last four cycles of All India Tiger Estimation (AITE) exercise conducted from 2006-2018 and the tiger corridor atlas created by Wildlife Institute of India point to the fact that from 2006, the tiger occupancy in the region has expanded from Dandeli Wildlife Sanctuary (DWS) to Bhagwan Mahaveer Wildlife Sanctuary (BMWS) / Mollem National Park (MNP) and forests of Ponda and Sanguem tehsils. The proposed project is located within the important tiger landscape 'Anshi-Dandeli- Sharavathi Valley population' comprising protected areas of Mollem-Netravati-Anshi-Dandeli, Sharavati Valley-Mookambika along with Reserved Forests of Haliyal and Yellapur. This complex has connections in the North with the forests of Goa and upto Sahyadri Tiger Reserve (STR) in Maharashtra. In the South this has connections with the Kudremukh-Bhadra complex. This connectivity about the movement of tigers between these complexes has been established through camera trap-based evidence. The recently concluded phase 4 tiger monitoring exercise of Kali Tiger Reserve (KTR) has confirmed the movement of tigers between Anshi-Dandeli and Sahyadri Tiger Reserve. A total of 25

tigers (male 10, female 12 and unidentified 3) have been photo captured in KTR during 2020. A noteworthy finding of conservation significance is photo capturing of a tiger in Castle rock range which was earlier camera trapped in Sahyadri Tiger Reserve (STR) in Maharashtra.

25. Apex predators like tigers exist at low densities and require extensive forest areas for survival. Factors like habitat destruction, habitat fragmentation, isolation and poaching of prey base can push small population of tigers towards extinction. This would require managing smaller populations in meta population framework while ensuring habitat connectivity between different populations so that there exists ample opportunity for individuals of populations for dispersal, establishing territory and reproduction"

"**OBSERVATIONS AND RECOMMENDATIONS"**

37. The camera trap photographs captured on either side of the railway track and the recent reported killing of four tigers in Mhadei Wildlife Sanctuary in the State of Goa goes to establish that the landscape through which the railway line passes is an important Tiger Corridor connecting the three States of Goa, Karnataka and Maharashtra. In this context, it is important to note that the recommendation of the State Wildlife Board to declare BMWL as Tiger Reserve is still pending consideration of the State. In these circumstances SC NBWL is mandated to seek recommendations of NTCA under Section 38 (0) of Wild Life (Protection Act), 1972 before making any recommendations in respect of projects being implemented along the Tiger Corridors. Here it has to be noted that

the SC NBWL has deemed it necessary to obtain the report of NTCA in respect of Karnataka part of the rail line doubling project but inexplicably has not deemed it necessary to obtain the recommendation of the NTCA in respect of rail line between Castlerock–Kulem passing through Goa State."

"45. Keeping in view the facts as highlighted above and considering that:

ix) the railway line cuts across the most important animal corridor in the Western Ghat landscape between Karnataka and Maharashtra through the State of Goa and will be a serious impediment for movement of long ranging animals like tiger and elephant.

x) the approval by NBWL to go ahead with the project has been granted in respect of Goa Portion without first obtaining the advice of NTCA as statutorily required under section 38 (O) of the Wild Life (Protection) Act, 1972.

In these circumstances it is recommended for the consideration of this Hon'ble Court to revoke the permission granted by the Standing Committee of National Board for Wildlife (SC NBWL) for doubling of the railway track passing through the ecologically sensitive Western Ghats from Tinaighat-Castlerock in Karnataka to Kulem in Goa involving 120.875 ha. of land ha.) from the Bhagwan Mahaveer Wildlife Sanctuary (BMWLS) in the State of Goa and 10.45 ha. (9.57 ha. Dandeli Wildlife Sanctuary and 0.88 ha. in Haliyal Forest Division) in the State of Karnataka."

**Grounds**

34. The Petitioner is therefore approaching this Hon'ble Court in wildlife and public interest on the following grounds, among others:

a) In 2006, the Wildlife Protection Act 1972 was amended with the twin objective of tiger conservation and harmonizing the rights of the tribal people living in and around tiger reserves, and to provide for the constitution of the National Tiger Conservation Authority responsible for implementation of Project Tiger. Vide the amendment – Chapter IV-B was added to the Act, constituting the NTCA and detailing the procedure to notify Tiger Reserves in the country. Section 38V (1) of the WLPA mandates that the State Government shall, on the recommendation of the Tiger Conservation Authority, notify an area as a tiger reserve. The provisions of the Wildlife Protection Act mandate that tiger reserves be notified on the recommendation of the NTCA.

b) In 2011, the Minister for Environment and Forest (and Chairperson of the NTCA) requested the CM of Goa to notify Tiger reserves in the State. Thereafter, in 2016, once again the NTCA requested that State Govt to submit a proposal as required under Section 38(v). In 2017, the member secretary of the NTCA visited the Mhadei WLS and upon being informed that a proposal for tiger reserves was being prepared, specifically requested that said proposal should be prepared as soon as possible and would be viewed favorably. In 2020, the report of the 2-member committee of the NTCA has also

unequivocally recommended the notification of tiger reserves in the state.

c) On the recommendation of the NTCA, a proposal is to be prepared by the State Govt to be put forward before the State Board for Wildlife. On approval of the Board, the proposal is to be sent to the NTCA for approval. Evidenced by the documents on record, a draft proposal has already been prepared in 2018, but no further action has been taken. No justifiable reason is found for the abject inaction to notify the tiger reserve thereafter.

d) The Wildlife Sanctuaries of Goa are an important tiger habitat and form an integral part of a contiguous stretch of protected areas. The Protected Areas of Goa assume even more significance by virtue of their location within the Western Ghats landscape.

e) The contiguous forests of Goa, Karnataka and Maharashtra and the reserve forests and wildlife sanctuary of Radhanagari in Karnataka, Chandoli National Park and the reserve forests of Purna and Dodamarg in Maharashtra have been named as Tiger Conservation Units (TCU) (minimum habitat area to support 50 tigers or documented evidence of 50 tigers).

f) The NTCA report, 2020, states that the number of tigers in Goa may in fact be more than as projected by the All-India Tiger Estimation, 2018. The report states it appears that no systematic efforts have been made so far by the Forest

Department for estimating the tiger population size of the sanctuary using camera trap based monitoring protocols. As part of recently concluded All India Tiger Estimation (AITE)– 2018, the Goa Forest Department had carried out sign survey activities (phase I) in the month of May, 2018 and the summary report "Status of Tigers in India – 2018" puts the tiger population size of Goa at '3' individuals. Considering the fact that only opportunistic camera trapping was done by the Forest Department inside the sanctuary without following a properly designed survey protocol, it is highly possible that the projected tiger population size of Goa may be an understatement.

g) Declaring parts of the protected areas as tiger reserves ensures the conservation of the pristine wildlife habitat not only for tigers, but for a number of other species that reside within these areas. The big cats — as well as other animals — are facing existential challenges due to increasing man-animal conflict, lack of forest corridors through which they can move, and development projects such as mining and highways being proposed in and around the protected areas.

h) A number of deficiencies and shortcomings have been reported in the NTCA report, 2020 that must be acted upon for the proper management of all the protected areas in Goa.

i) The Petitioner submits that the notification of Tiger Reserves in Goa would also benefit the local communities living in and around the protected areas. The NTCA report, while recommending that Mhadei be declared as a Tiger Reserve states that "It will also empower the local communities residing inside the sanctuary by giving access to development opportunities as they will be able to utilize the voluntary resettlement scheme for joining the mainstream society." Further, the report highlights the problems being faced by the communities under the current scheme of management of the protected areas which would be alleviated if the Tiger Reserve is notified and the area is brought under the management of the NTCA, including the procedural and monetary issues involved with the payment of compensation to the villagers for tiger kills. This would help in reducing considerably the human-wildlife conflict in and around the protected areas.

j) The Supreme Court in *Centre for Environmental Law, World Wide Fund-India vs. Union of India & Ors.*[(2013) 8 SCC 234] held that "Article 21 of the Constitution of India protects not only the human rights but also casts and obligation on human beings to protect and preserve a species becoming extinct. Conservation and protection of environment is an inseparable part of right to life."

k) Such other and further grounds that may be urged at the time of hearing.

l) That the protected areas of Goa are important tiger habitats and form part of a vital tiger corridor within the network of contiguous tiger habitats in the Western Ghats complex has also been highlighted by the Central Empowered Committee constituted by the Supreme Court. The CEC has faulted the SC-NBWL in failing to obtain a recommendation from the NTCA prior to granting approval for a large-scale railway project through the tiger habitat in Goa and has thus recommended that the approval be revoked.

**Source of Information**

35. The Petitioners are relying on information received under the provisions of the RTI Act, 2005.

**Nature and extent of Injury caused / apprehended**

36. The protected areas of Goa are home to a significant number of tigers and part of a large contiguous network of tiger habitats in the Western Ghats landscape. Lack of proper protection and monitoring of these areas, and the unwarranted inaction of the government to declare tiger reserves in the state has already led to the loss of 4 tigers in January, 2020. Villagers living in these areas also face hardships when they lose their cattle due to lack of monitoring and protective measures by the Govt. If no action is taken urgently, the threat to the tigers, and other wildlife in these areas and their habitat would be enhanced considerably.

**Delay, if any, in filing the petition**

37. There is no delay in filing this petition. No action has been taken by the Government to notify Tiger Reserves in the states despite

numerous recommendations to the effect made by the NTCA. The deaths of 4 tigers in the Mhadei Wildlife Sanctuary in January, 2020 was followed by a report of the NTCA in the same month once again recommending that a tiger reserve be notified to protect the tigers and their habitat. The Petitioner herein obtained the relevant documents via RTI in February, 2020 and wrote to the authorities vide letters dated 13.02.2020. However, no action has been forthcoming thus far.

**Representations made**

38. Petitioner No. 1 has also made representations to concerned authorities through letter dated 13.02.2020 enclosed as Annexure 20 to the petition.

**Documents relied upon**

39. List of documents to be relied upon is provided in the index.

**Prayers:**

40. Petitioner is therefore approaching this Hon'ble Court, praying for the following reliefs, in wildlife and public interest:

a) For an order directing the Respondent State to submit its proposal to notify a Tiger Reserve – as per the NTCA's (Resp.No.5) recommendation dated 31.03.2016 and the resolution of the GSBW (Resp No. 2) – to the NTCA as mandated under Section 38 (V) of the Wildlife Protection Act, 1972 within time-frame fixed by this Court;

b) For an order directing Resp No.4 to set up Anti-Poaching Camps (APC) at strategic locations manned by Forest Guard/

Watchers round the clock and year in the Wildlife Sanctuaries of Goa;

c) For costs of this petition;

d) Any other reliefs this Hon'ble Court may be pleased to grant.

**Interim reliefs:**

e) Pending hearing and final disposal of this petition, and pending the notification of a Tiger Reserve in Goa, for a direction to Resp. No.3 to ensure summary payment of 25% of claim on tiger kill within three days to affected persons and thereafter, balance amount within one week, on production of certificate of valuation from the Animal Husbandry Department, and to ensure that such information about summary reimbursement is circulated to all families residing in and around the PAs;

**Caveat**

41. No notice has been received of lodging a caveat by the opposite parties.

Place: Panaji-Goa.
Date: Petitioner

28

**IN THE HIGH COURT OF BOMBAY AT GOA**
**AT PANAJI GOA**

**PIL WRIT PETITION NO. /2020**

The Goa Foundation ...Petitioner

V/s

State of Goa & ors ...Respondents

**AFFIDAVIT**

I, Dr Claude Alvares,71 years of age, Secretary, Petitioner No.1herein, do hereby solemnly affirm and declare as under:-

1. I have today filed a writ petition in public interest for the reliefs sought therein.

2. I state that there is no personal gain, private motive or oblique reason in filing the PIL.

3. The petitioner is ready to pay costs as ordered by the Court, if it is ultimately held that the petition is frivolous or has been filed for extraneous considerations or that it lacks *bona fides*.

4. The petitioner shall disclose the source of its information, leading to the filing of the PIL, if and when called upon by the Court, to do so.

5. I solemnly declare and say that what has been stated in paras 19(p), 2(p), 3-11, 12(p), 13-23, 24(p), 25-31, 32(p), 33(p), 35, 38, 39 and 41 of the accompanying petition are in the nature of facts which are true to my own knowledge I believe the same to be true and the contents of paras 1(p), 2(p), 12(p), 24(p), 32(p), 33(p), 34, 36, 37 and 40 are my submissions, made on legal advice which I believe

to be true and correct. No part of it is false and nothing material has been concealed there from.

6. I say that the documents annexed are true copies of their originals.

Solemnly affirmed at Panaji

this the Deponent

NOTARY
JANARDHAN S. PARSHEKAR
MAPUSA, BARDEZ-GOA
Regd. No. 218
Expiry Date
28/1/2020
GOVT. OF GOA (INDIA)

Certified to be true copy
of the original

NOTARY
JANARDHAN S. PARSHEKAR
MAPUSA, BARDEZ-GOA
Regd. No. 218
Expiry Date
28/1/2020
GOVT. OF GOA

C E R T I F I C A T E
**********

In view of the Affidavit filed by the Secretary of the Society ' THE GOA FOUNDATION ' for the purpose of 3 (B) (4) of the Societies Registration (Goa Amendment) Act,1998, it is hereby certified that the registration of the said Society, registered under the Societies Registration Act, 1860 under No.23/Goa/86 is hereby renewed for a further period of five years w.e.f. 11-6-2000.

Dated:- 2nd August, 2000.

OFFICE OF INSPECTOR GENERAL SOCIETIES
PANAJI

( P. V. S. Sardessai )
Inspector General
By -Order

Registration renewed till 11-06-2015
Dated 21/01/2011

Inspector General of Societies/
/District Registrar (North Goa)
By Order

21/1/2011

Office of Inspector General of Societies
North Goa, Panaji

Registration renewed till 11-06-2020
Dated 24-09-2015

Inspector General of Societies/
/District Registrar (North Goa)
By Order

24/9/2015

Office of Inspector General of Societies
North Goa, Panaji

# The Goa Foundation

G-8, St. Britto's Apartments,
Feira Alta, Mapusa 403507 Goa.
Phones: 2256479
www.goafoundation.org
email: goafoundation@gmail.com

12.1.2014

Truecopy

## RESOLUTION OF THE GOA FOUNDATION

"It is hereby resolved that in supersession of earlier resolutions dated 30.9.2010 and 4.1.2013, all new PILs and in all matters connected therewith filed by the Goa Foundation would be signed either by Mr Mathias Vaz, President or Dr Claude Alvares, the Secretary of the Association. This resolution to apply to all matters filed henceforth in the High Court of Bombay, Panaji bench; National Green Tribunal (Pune/Delhi) and Supreme Court of India."

Certified copy:

(Mathias Vaz)
President

Annexure 2



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,**
**GOA BENCH, AT PANAJI**

PIL WRIT PETITION NO. OF 2020

Goa Foundation )... Petitioners

Vs.

State of Goa & Ors - )... Respondents

**UNDERTAKING**

I, Dr. Claude Alvares, Secretary of the Goa Foundation (Petitioner), undertake that I will disclose the source of information leading to the filing of the Public Interest Litigation if and when called upon by the Court to do so.

Petitioner

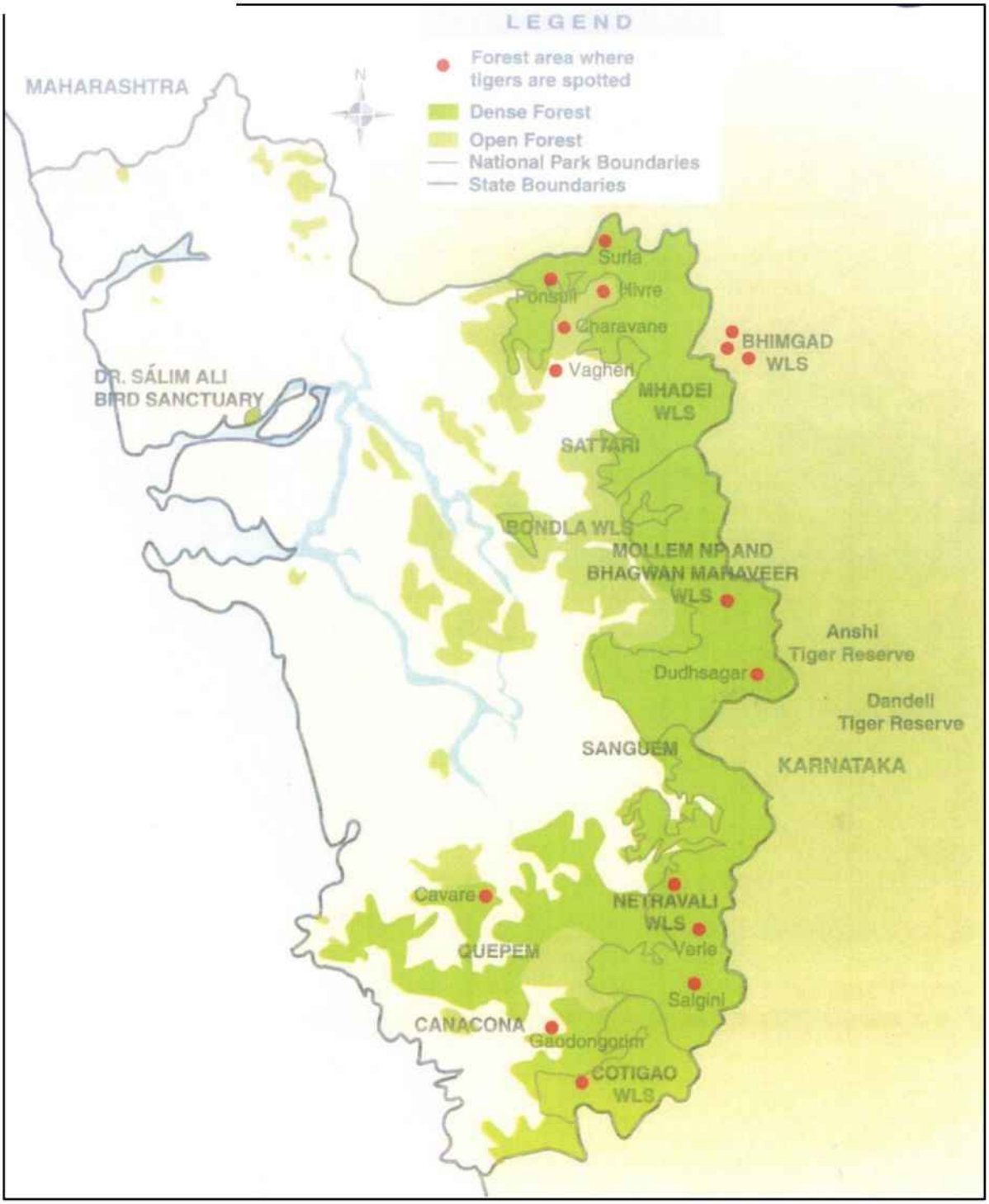
Panaji

Date:

Scanned with CamScanner

Map of the contiguous wildlife habitat Annexure 3





Annexure 4 colly



# PROPOSAL FOR CREATION OF NETRAVALI WILD LIFE SANCTUARY IN SANGUEM TALUKA

1. The Western Ghats are one of the richest reservoir of bio-diversity in the world. The section that lie within Goa (the Sahyadris) and which dominate its ecosystem readily reflects this bewildering complexity in plant, animal and bird life.

2. But the Western Ghats, along with most parts of the country, have sustained extreme environmental degradation. Being ecologically fragile, the damage has often been irreparable and disproportionately severe. The causative factors for degradation range widely from destruction of forests for commercial tree plantations, clearance of large tracts for cultivation, excessive cattle grazing and unsustainable cultivation practices leading to a total loss of the production potential of the land. More recently extensive road construction (undermining the stability of the hill slopes), industrial mining, urbanisation, population pressure and excessive demand for the limited basic resources such as water, fuel, etc. are also leading to the total destruction of this hill range.

## BIOLOGICAL WEALTH:

3. A considerable part of the residual endemic flora and fauna of the peninsular is also concentrated here. The complex topography, high rainfall, relative inaccessibility of the tract and biogeographic isolation, have helped the Western Ghats retain their biological diversity to some extent - at least until very recently.

## FLORISTIC DIVERSITY

4. Floristically, the Western Ghats is one of the richest areas in the country, harbouring no less than 3500 species of flowering plants which is 27 per cent of

..2

flowering plants in the country. There is an equal, if not richer, proportion of lower plants.

The Western Ghats has 84 species and two varieties of endemic orchids belonging to 30 genera (three genera are endemic). Of the known orchids of Indian peninsula, 37 per cent are endemic to the Western Ghats region. Fifteen species of orchids are endangered in the Western Ghats.

The State is bestowed with a relatively rich floristic diversity. Vartak (1966) in his Flora of Gomantak has recorded a total of 1512 species of plants (including 49 ferns) over an area of 3282 sq.kms.

WHAT INTERNATIONAL ORGANISATIONS SAY ABOUT THIS AREA:

5. Birdlife International, Cambridge, England has officially classified this area as one of the ENDEMIC BIRD AREAS (EBA) of the world. This has been published in the "Global Directory of Endemic Bird Areas " (1996) and "Putting biodiversity on the map" (1992). There are 217 EBAs in the world which represent priority areas for global biodiversity conservation. Our concerned area is part of an EBA.

6. The National Geographic Society - Washington D.C. in its publication "Diversity of Life" - February 1999 has described this area as follows - "a large number of endemic species, some traced back to forebears on the ancient supercontinent of Gondwana have evolved on India's long isolated western mountain ranges, 16 bird species and at least 1500 plant species live only here. Pressure from expanding human population, logging and farming is intense.

The National Geographic Society has classified these forests as "Tropical Moist Broadleaf (includes rainforests)" and assigned them classification number 13

which is same allocated to the equatorial rainforests of Borneo in Indonesia, Papa New Guinea, New Caledonia, Madagascar CongoBasin (Central Africa), Amazon (Brazil) Chile, Ecuador, Columbia, Guatemala, Honduras, Nicargua, Costa Rico. The forests of Sanguem are of equal importance to the world as the forests of the countries mentioned above. All these forests have been categorised as tropical rainforests (classification number 13) "Diversity of Life" - National Geographic Feb. 1999 (please see page 1/C).

7. Page 65 of Time Magazine (14 Dec.1998 issue) - U.S. edition states that 2180 plant species are unique to the biodiversity hotspot of the Western Ghats. Conservation International - Washington DC has classified this area as a biodiversity hotspot of the world - source Dr. Norman Myers of Conservation International, Washington DC.

8. The book "A Framework For Identifying High Priority Areas And Actions For the Conservation of Tibers In The Wild" by WWF International, U.S. Fish and Wild Life Services and Wild Life Conservation Society - New York lists this area as a Level 1 tiget conservation unit (TCU) with 55 points. This area ranks second in India after Sunderbans (65 points) and eighth in the world as the finrest tiger habitats in the entire world. This study was completed in 1997. The International scientists who have authored this book state on pg.18, "the level 1 TCU's are recommended as highest priority areas and should be the target of international and regional conservation efforts. We have greatest confidence in our ability to designate TCU's as level 1 and level 2 Page 8/13 - states that the root clause of the decline of the tigers across their range are habitat fragmentation, degradation and eventual loss of habitat and intensive poaching of tigers and their prey.(Page 2/C)

../-

ABOUT SANGUEM TALUKA:

9. Sanguem has the maximum forest cover among all the talukas in Goa. It forms a significant constituent of the Western Ghats which run all along the Eastern border of Goa. The Taluka is gifted with high range mountains which have socio-cultural and religious importance to the local habitants of the forest. One of the most traditional and cultural practice of conservation in these areas are of protecting the forests around a local diety. A conservative estimate of total number of sacred groves is more than 60. Some of the examples are listed below:-

- At Netorli there is a place called Budbudi Tale (the pond which creates bubbles). It is believed that the bubbles rise to the surface when one claps.

- The tribals of this area are called the Velips and they worship a diety called the "Paik dev". It is an important diety of the forest dwellers of Sanguem. It represents a sword weilding male god riding a horse. Small statues made of clay are worshiped at the centre of sacred groves.

- At Salgini (Verlem) there is a Mahadeva temple and a sacred grove called Mahadevachi rai, this grove is surrounded by three magnificient mountains which go by the name of Endapali Dongor, Goddi Dongor and Madiraichi God.

- The Nasa Dongor (the great hill) falls in this area and runs across the forest of Mangal and Verlem.

- At Netorli there is a mountain called Mhatara Dongor (The old mountain) and the Chand Surya Dongor (the mountain of moon and the sun) near village Bandiwade touching Sigonem.

- There is an ancient temple called Mahadevachi temple on Sidha Dongor.

- At Bati there is a place called Vagpedi (the cave of the Tiger). Even today the villagers say that Tigers visit this place. There is a sacred grove called Goelho rai at this place. At Kumari (Bati Panchyat), there is a sacred grove called Kalas dev spread over ten acres of land and consists of two temples. At the same Panchayat a water hole called Kajre tol is visited by Tigers according to the villagers.

..5/

- Tiger sightings have been reported from Vichundre and at Ghato Dongar at Pata - Netroli where a couple of cattle were killed at the same time a year ago.

This range is an important corridor for animal movement from Cotigao to Bhagvan Mahaveer Wildlife Sanctuary.

This is an extremely important source of fresh water for the people of South Goa. The legal protection of thegreen cover of the above mentioned area will facilitate and suffice the increasing demand of fresh water by the population of South Goa.

The forests of Sanguem Taluka ranks second in India and eighth in the world as the finest tiger habitat in the entire world. These forests are the bnly corridors for Tigers to move from Karnataka into Goa.

THE URGENT NEED FOR PROTECTION OF WESTERN GHAT SECTOR OF SANGUEM

10. The forests of Sanguem lying on the Western Ghats is part of the largest patch of continuous forest remaining in the country along with the forests of the North East. The problems in the North East further enhances the need for protection of these forests. These forests have a large number of endemic species, they are ancient and are one of the last remaining forests from the Gondwana land mass.

11. The Zoological Survey of India (ZSI) has made a survey of the Western Ghats and established that the rate of deforestation in the ghats varies between 60 and 110 sq.kms. per year. It has warned that if immediate conservation measures are not initiated the Western Ghats

will be wiped out in next five decades. It has also been observed that the wiping out of the tropical forests would have an important consequence on the life on Earth, the magnitude of these consequences cannot be predicted with precision. In 1992, at the Earth Summit at Rio, the United Nations classified the Western Ghats among the twelve ecological hot spots of the world. They have one of the highest concentration of flora and fauna - nearly 50 variety of fauna and 200 plant species per hectare. Only three other regions in the world - Latin America, Africa and Peninsular Malaysia can boast of similar kind of rain forests. These forests have been gravely threatened by illegal human encroachment. (Page 3/C).

12. It is also learnt that some forest areas which are proposed to be included in the above sanctuary have been illegally encroached upon by people even though the ownership of these forests is with the Goa Forest Department. These encroachers out the original primary natural forest and plant cash cultivations like cashew. By declaring a sanctuary, the Government can act swiftly and legally against these encroachers. When these areas are brought under a sanctuary, the action against the encroachers will be speedier and easier from an administrative point of view, because of sterner punishments under Wildlife (Protection) Act, 1972 as compared to Indian Forest Act, 1927. If this action is not taken now, illegal encroachments will devastate the natural forests of the area which are extrmmely important not only for fresh water security of Goa, but also to protect its rich bio-diversity.

13. It is also pertinent to note that in neighbouring Karnataka State, effective steps have been taken in protecting its forests legally along the borders of Goa.

..7/-

They already have the Dandeli Wildlife Sanctuary measuring 475 sq.kms. in the Haliyal and Joida Talukas (District Uttar Kannada) which is to the southeast of Goa and contiguous to the forests of Eastern Goa. They also have the Anshi National Park measuring 250 sq.kms. in the Haliyal Taluka contiguous to Dandeli Wildlife Sanctuary and the forests of Eastern Goa. Furthermore, they have now proposed a third wildlife sanctuary spread across talukas Khanapur and Joida and Haliyal measuring around 609 sq.kms. and covering the sensitive bio-diversity areas like Madei valley, Castle Rock, Anmod, the Barapidi and Krishnapur caves and linking up with Dandeli and Anshi sanctuaries for which, notification is being issued by the end of this month.

14. The present area proposed for declaration as a Sanctuary under Sectiom 18 of the Wild Life (Protection) Act, 1972 is approximately 211.05 sq.kms. covering two forest ranges viz. Sanguem and Curdi. The areas proposed for are under Section 4, Section 20 of the Indian Forest Act, 1927 and some unclassed forests (pg.4/c).

15. The present area proposed as Wild Life Sanctuary has the following cases pending in the respective courts.

| Sr.No. | Case No. | Party in dispute | Area |
|---|---|---|---|
| 1. | Case No.147/81 in Additional District Court, Margao. | M/s Timblo Irmaos V/s Union of India & 4 others. | 4,000 Ha. in Verlem Village |
| 2. | Case No.100/81 in Additional District Court Margao. | Y.D. Chowgule V/s Govt.of India & 6 Others. | Approximately 900 Ha. in Mangal Village |

This was also informed to His Excellency, the Governor of Goa and he has opined that the Law Department's view,if necessary, could be taken for further necessary action.

..8/-

16. To enable Law Department to examine the proposal vis-a-vis pending litigation, following papers connected with two civil suits cited at para (15) are placed from 7/c to

(a) plaint in civil suit No.16/1977 filed by Timblo, Irmaos Ltda. (flag 'A').

(b) Written statement on behalf of defendants (Union of India, flagged as flag 'B').

(c) Plaint in Civil Suit No.8/74 filed by Yeshwantrao Chowgule alongwith Civil Misc. Application filed by him.

(d) Written reply to civil suit no.8/1974 filed by Defendants (flag 'D')

(e) Defence statement in Civil Suit No.8/74, (New Civil Suit No.100/81, flag 'F'.

17. The matter even though sub-judice, the rights and claims will have to be settled by Collector in the area where Govt. has declared its intention to constitute a sanctuary. The Collector may take into consideration the legal implications of litigations pending before setting the rights, but the area being sub judice may not come in any way of declaring the intention of Govt. to declare particular area as sanctuary, which inter alia creates certain indirect benefits by way of further accrual rights by any individual in the said area by virtue of section20 of Wildlife (Protection) Act, 1972.

18. This area has a vast wealth diversity as well as endemism. Blanford lists 48 genera mammals, 278 genera of birds, 60 genera of reptiles and many other creatures yet to be recorded from this prestine forest area. A list of animals, found in the area may please be seen at page 5/c. A separate list of tree species found in Salgini area in the proposed sanctuary is also annexed at page 6/c.

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17. In view of the above, it is important that the area admeasuring 211.05 sq.kms. in the coordinates viz. Northern extremity - 15° 16' 17" North: Eastern extremity - 74° 18' 45" East; Southern extremity - 14° 59' 50" North; Western extremity - 74° 09' 39" East is declared as Netravali Wild Life Sanctuary so that the bio-diversity is preserved for posterity. A draft notification is accordingly placed at page 7/c alongwith map of the area at page 8/c.

Submitted for favour of consideration and approval.

No.2-335-99-FD/ 934
Date: 31/5/1999

(Richard D'Souza)
Conservator of Forests &
Ex-Officio Addl. Secy.,

OFFICE OF C.S.
Entry No. 3711F
Date 31/5/99

Office of
Advisor (II) to Governor
Entry No.: 1649
Date: 1/6/99

C.S.

For approval pl.

Law Sec. may [illegible] please see

31/5/99
C.S.

Advisor

1/6

~~Governor~~

Sec. Law, This matter has been discussed by CF with me. There is no [illegible] in any proceedings mentioned at X on 7/N as stated by CF. This being so, there is no objection to invoke provisions of Section 26 [illegible] as the case may be. This will in no way prejudice the pending on the Com. Portfolio all their claims.

1/6

1/6

Advisor II

14N

Forum I

I am glad that after this notification the whole rain forest of the Western Ghat in Goa has been made into a protected area.

Advisory I

1/6/99

C.F.

Pl. send to Govt press

1/6/99

[illegible]

[illegible]

[illegible]

PROPOSAL FOR CREATION OF MADEI WILD LIFE SANCTUARY IN SATARI TALUKA

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..3/-

7. Page 65 of Time Magazine (14 Dec.1998 issue) - U.S. edition states that 2180 plant species are unique to the biodiversity hotspot of the western ghats. Conservation International - Washington DC has classified this area as a biodiversity hotspot of the world - source Dr. Norman Myers of Conservation International, Washinton DC.

8. The book "A Framework For Identifying High Priority Areas And Actions For the Conservation Of Tigers InThe Wild" by WWF International, U.S. Fish And Wild Life Services and Wild Life Conservation Society- New York lists this area as a Level 1 tiger conservation unit (TCU) with 55 points. This area ranks second in India after Sunderbans (65 points) and eighth in the world as the finest tiger habitats in the entire world. This study was completed in 1997. The International scientists who have authored this book state on pg 18. "the level 1 TCU's are recommended as highest priority ~~RR~~ areas and should bethe target of international and regional conservation efforts." We have greatest confideece in our ability to designate TCU's as level 1 and level 2 Page 8/13 - states that the root cause of the decline of the tigers across their range are habitat fragmentation, degradation and eventual loss of habitat and intensive poaching of tigers and their prey.

9. Barapedi caves in Khanapur taluka just 5 kms. away from Goa border houses the Wroughtons Free Tailed Bat (Otomops Wroughtoni) - the only place in the world whhere this bat resides. Foraging range of the bats is unknown. Habits, food - unmknown. Dr. Paul Bates of Harrison Zoological Musuem, Scotland was the last international scientists to visit the caves in 1992. The bats have been classified as critically endangered. The forests of Sattari can be the foraging area of these bats.

..4

10. Krishnapur caves houses the Theobalds Tomb Bat (Taphazous theobaldi) which is present in only two other places in India. Foraging range of the bats - unknown. Habits, food-unknown. Endangered species.

Page 49 of BNHS journal vol.59(1) states that "the biology of T. theobaldi in India remains practically unknown. Krishnapur caves are just 2.5 kms. away from the Goa border. The forests of Sattari is the foraging area of these bats. (please see page 3 & 4/c).

ABOUT SATTARI TALUKA:-

11. Sattari Taluka has 78% of forest cover of North Goa and after Sanguem, it is the only Taluka having largest area under forest. Sosogad is the tallest mountain in Goa and the second highest is "Catlanchi Mauli". The third highest is Vagheri (Abode of the tigers) All three mountains fall in Sattari taluka. These ranges act as a corridor for animal movement from Karnataka into Maharashtra and vice-versa.

Sacred grooves - a traditional forest conservation practice has not attracted much attention of scientists and NGO's in Goa. There are more than 50 sacred groves in Sattari taluka. Most of the sacred groves are located in the proposed protected area. The sacred grove "Nranka-rachi Rai" near Bhomber on the way to Kodal is dominated by a unique plant species Myristica malabarica.These are tall trees with mangrove type roots. It is endangered and endemic to the area. The original area of 6 hectares has been reduced to 0.25hectares due to tremendous pressure of population and agriculture.

The above mentioned area forms the prime catchment area of the major tributaries of the Madei river. This is an extremely important source of fresh water for the people

48

of North Goa. The legal protection of the green cover of the above mentioned area will facilitate and suffice the increasing demand of fresh water by the population of North Goa.

The forests of Satari Taluka ranks second in India and eighth in the world as the fin est tiger habitats in the entire world. These forests are the only corridors for Tigers to move from Karnataka into the Reserve forests of Sawantwadi in Maharashtra.

12. The present area proposed for declaration as a sanctuary under Section 18 of the Wild Life (Protection) Act, 1972 is approximately 208.48 sq. kms. covering two forest ranges viz. Valpoi and Keri. The area proposed for, has already been declared and notified under Sec.4 and 20 of the Indian Forest Act, 1927, and as per land index belongs to the Goa Forest Department (see page 5/c).

13. This area has a vast biological wealth, diversity as well as endemism. Blanford lists 48 mammals genera, 275 genera of birds, 60 general of reptiles and many other creatures yet to be recorded from this prestine forest area. A list of animals viz found in the area may please be seen at page 8/c).

14. In view of the above, it is important that the area admeasuring 208.48 sq.kms. inthe coordinates viz. Northern extremity - 15° 40' 52" North; Eastern extremity - 74° 17' 03" East; Southern extremity - 15° 27' 27" North; Western extremity - 74° 5' East is declared as Madei Wild Life Sanctuary so that the bio-diversity is preserved for posterity. A draft notification is accordingly placed at page 11/C alongwith map of the area at page A&B.

Submitted for favour of consideration and approval.

No. 2-333-99-10/1-Part/778
Date: 18/5/1999

(Richard D'Souza)
Conservator of Forests &
ex-Officio Addl. Secy.

Are there any yardsticks for declaring any area as Sanctuary? Please.

OFFICE OF C.S.
Entry No. 2430/C
Date 19/5/99

JUSTIFICATION FOR CREATION OF MADEI WILDLIFE SANCTUARY IN SATTARI TALUKA

Discussed with C.S. In this connection, it is pointed out that the State Government, by notification can declare its intention to constitute an area as a sanctuary if it considers that such area is of adequate ecological, faunal, floral, geomorphological, natural and zoological significance. By issuing such a notification, the Government gives legal protection to the forests which are the reserves of biological wealth and rich reservoirs of indenspensible and endemic species of plants, birds, mammals, reptiles and other life forms. This legal protection can come about by issuing such a notification for a sanctuary.

It is also learnt that some forest areas which are proposed to be included in the above sanctuary have been illegally encroached upon by people even though the ownership of these forests is with the Goa Forest Department. These encroachers cut the original primary natural forest and plant cash cultivations like cashew. By declaring a sanctuary, the Government can act swiftly and legally against these encroachers. When these areas are brought under a sanctuary, the action against the encroachers will be speedier and easier from an administrative point of view, because of sterner punishments under Wildlife (Protection) Act, 1972 as compared to Indian Forest Act, 1927. If this action is not taken now, illegal encroachments will devastate the natural forests of the area which are extremely important not only for fresh water security of Goa, but also to protect its rich bio-diversity.

It is also pertinent to note that in neighbouring Karnataka State, effective steps have been taken in protecting its forests legally along the borders of Goa. They already have the Dandeli, Wildlife Sanctuary measuring 475 sq. kms. in the Haliyal and Joida Talukas (District Uttar Kannada) which is to the Southeast of Goa

..2

and contiguous to the forests of Eastern Goa. They also have the Anshi National Park measuring 250 sq.kms. in the Haliyal Taluka contiguous to Dandeli Wildlife Sanctuary and the forests of Eastern Goa. Furthermore, they have now proposed a third wildlife sanctuary spread across taluka Khanapur and Joida and Haliyal measuring around 609 sq. kms. and covering the sensitive bio-diversity areas like Madei Valley, Castle rock, Anmod, the Barapidi and Krishnapur caves and linking up with Dandeli and Anshi Sanctuaries for which, notification is being issued by the end of this month.

In view of the above proposal be agreed to in principle so that notification can be issued accordingly.

No. 2-233-99-FD/A-part/811
Date: 21/5/1999

21528
(Richard D'Souza)
Conservator of Forests &
Ex-Officio Addl. Secy.

GOVERNOR'S OFFICE
SECRETARIAT
Entry No. 8276

Office of
Advisor (II) to Governor
Entry No.: 975
Date: 21/5/99

OFFICE OF C.S.
Entry No. 3693
Date 24/5/1999

C.S. It is a good proposal for preserving the forest area, along with its fauna and flora, not only from the encroachers / poachers, but also it will be in the long term interests of the community subject to conformity the ecological considerations. This is one of the surest ways of maintaining the existing green cover in the State of Goa. For approval pl.

21/5/99
C.S

Governor

The proposal for Notification is based on the verbal instructions I had given to the Conservator of Forests so as to create such a sanctuary as it is imperative that we take all measures to protect the Fauna, Flora and Lepidoptera of the rain forests in the Western Ghats areas of Goa contiguous to Karnataka and Maharashtra. By notifying this area, an almost continous protected corridor will come into being.

I therefore approve the Notification.

( LT.GEN.J.F.R.JACOB,PVSM(Retd.)

C.S.

24/5/85

Conservator of Forests.

As desired by C.S. pl. see the draft notification before it is sent for publication.

24.5.85

10/N

Law Deptt (Legal Affairs)

The notes at pre-pages may please be seen.

The draft Notification at pgs 11/C-10/C has been examined and touched in pencil.

The Deptt may ensure that the area specified in the Schedule to the draft does not include any area comprised within any reserved forest or the territorial waters as stated in section 18(1) of the Act, 1972.

May please see.

26/5/99

JS (Law)

The draft notification under section 18 of the Wild Life (Protection) Act, 1972, empowers the State Government to declare its intention to constitute any area other than area comprised within any reserved forest, if it considers that such area is of ecological, faunal, floral, significant, etc., for the purpose of protecting, developing will life or its environment.

2. Section 19 empowers Collector to determine right in terms of notification issued thereof, while in terms of section 20A, any notification issued under section 18 and the period for preferring claim has lapsed and all claims in relation to the land in the area intended to be declared Sanctuary, have been disposed, a notification could be issued specifying the limit of area which would be comprised within the sanctuary and declare the said area as sanctuary. Evidently, the scope of declaration of sanctuary, in terms of section 18 would be restricted to the extent of area other than area covered under reserved forest. No doubt, if the department intends to include any of the reserved forest within the purview of sanctuary considering that the area thereof, is adequately ecological, faunal, floral, significant for protecting propagation of wild life or its environment to be included in the sanctuary, it is well within competence of the Government to include such area after declaration of sanctuary in terms of section 20A(a).

3. It is pertinent to note that the limit of area included in the sanctuary is required to be specified for identification and

contd... 11/N.....

determination of right with reference to any person over such land. Department may ensure that the Schedule annexed to the proposed notification as touched, is not covered under reserved forests.

May like to see.

( P.V. Kadnekar )
Joint Secretary (Law)
27/5/1999.

Les (on leave)

CF

31.5.99

file will see.
12/N 11/N

FOREST DEPARTMENT

DRAFT NOTIFICATION



The proposal for creation of Madai Wildlife Sanctuary has been examined by the Law Department and they had indicated that department declare its intention to constitute any area other than the area comprised within reserved forest as a sanctuary if it meet with other criteria on ecological and other point of view as brought out in Section 18 (1) of Wild Life Protection Act 1972 as amended in 1991.

The Department is desirous of constituting 164.21 sq. kms. of forest area which is not a reserved forest as a sanctuary and accordingly a notification as vetted by Law Department and finalised accordingly by the department may please be seen at 13/C. In this connection it is relevant to mention that the forest areas which are not a reserved forest but are intended to be included in the sanctuary are isolated in the sense that they are not contiguous patches. But the adjoining areas which surrounds on most of the sides excluding State boundary are reserved forest, declared as such under section 20 of the Indian Forest Act, 1927 after due settlement of claims and rights in the said forest by the Forest Settlement Officer, duly appointed by the Government.

The Section 26 A empowers the State Government to notify sanctuaries and the clear distinction has been made in the 26 A (a) and 26 A (b) that a final notification declaring an area to be a sanctuary may be issued for an area, wherein intention of the Government under section 18 has been issued and rights and claims are disposed off by the State Government as per Section 20 to 26 of Wildlife Protection Act 1972. At the same time section 20 also empowers the State Government to declare any reserve forest as a sanctuary provided the State Government consider it to be adequate, ecological, faunal, floral and other parameter as brought out in the said sanctuary.

Therefore to maintain continuity in the area and to ensure that the reserve forest already declared gets total protection under provisions of Wildlife Protection Act, 1972 which are more stringent other than the penal provisons of Indian Forest Act, 1972. Accordingly another draft notification is placed at 12/C declaring 41.27 sq. kms. as sanctuary which is already declared as reserve forest under section 20 of the Indian Forest Act.

It is therefore kindly requested that Government may kindly examine in consultation with Law Department the

PTO

notification as approved by the Law Department under Section 18 of the Wildlife Protection Act 1972 and draft notification for area comprising of reserve forest which may please be got vetted in view of the factual position furnished above.

No.2-333-99-FD/924

Dated: 31-5-99

(Richard D'Souza)
Conservator of Forests

Secy. (Law)

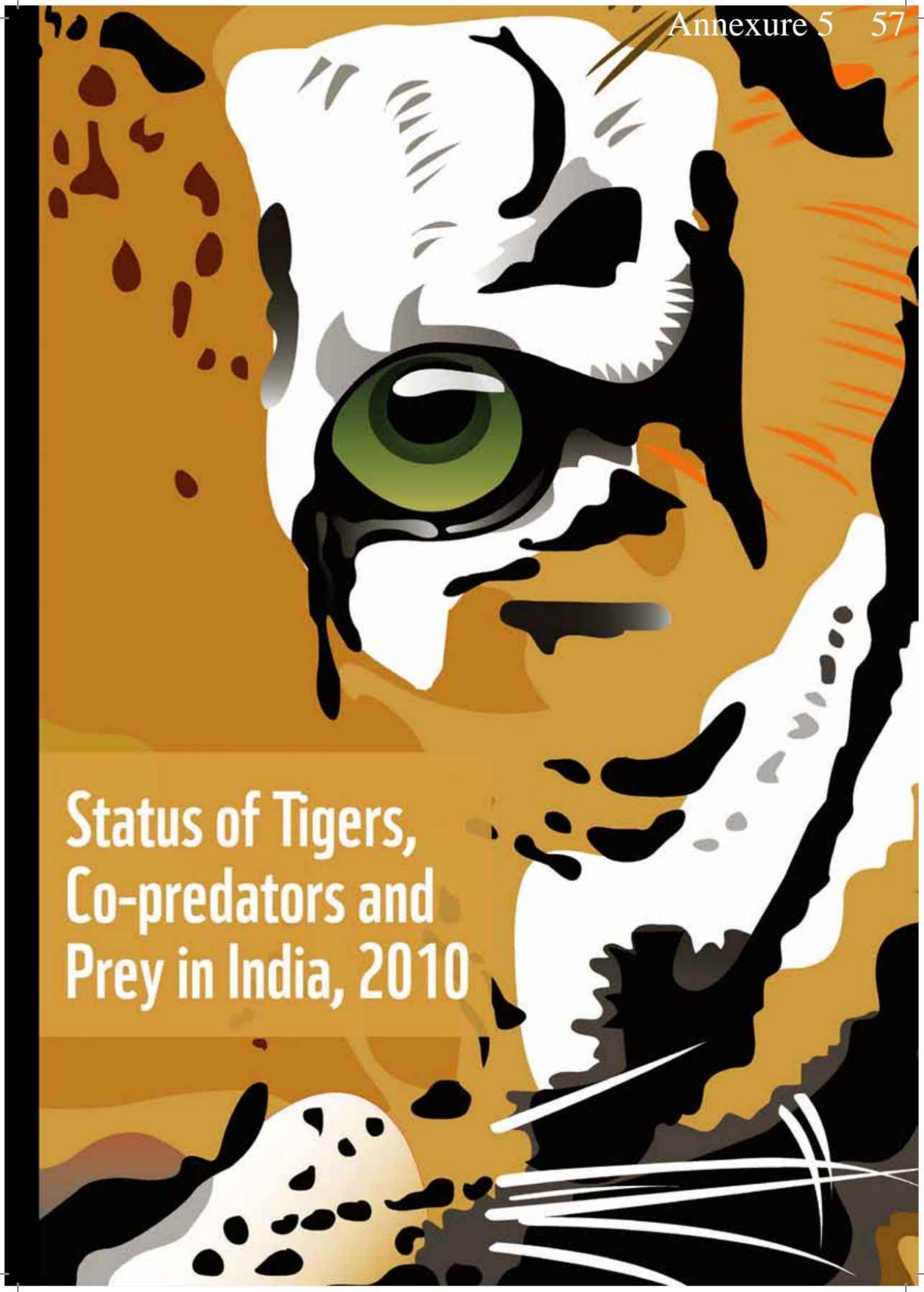
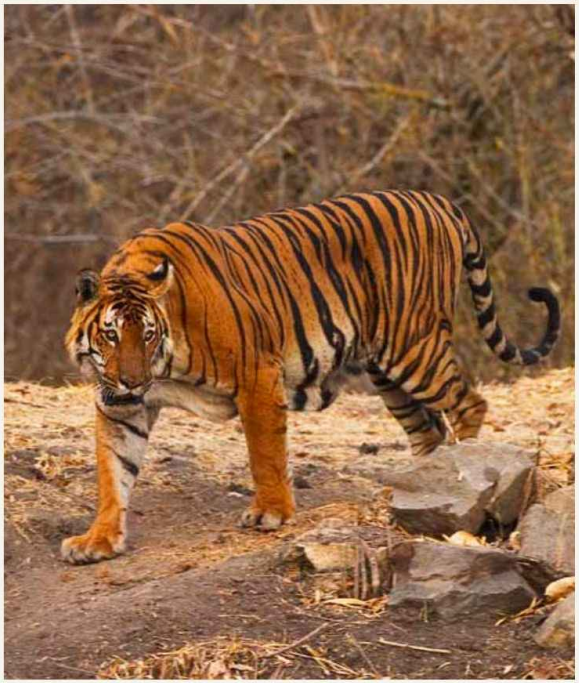

Status of Tigers,
Co-predators and
Prey in India, 2010

**Figure 3.KR.1.3**
Periyar-Shendurney-Mundunthurai corridor



©SANDESH KADUR

# GOA

The State of Goa has an area of 2,151 km² under forest cover, constituting 58% of the State's total geographical area. The State had one National Park, viz. Mollem and six Wildlife Sanctuaries with 20.4% of the State's is under Protected Area network.

The Mhadei Wildlife Sanctuary covers an area of 208.48 km² in Sattari taluka of north-eastern Goa. It is connected to the larger tiger landscape of Karnataka around Anshi-Dandeli Tiger Reserve through the Bhimgad Forest in the east and through Bhagwan Mahavir Wildlife Sanctuary in the west. The latter Protected Area is connected to Mollem National Park and Netravali Wildlife Sanctuary in south Goa which in turn form a contiguous forested landscape with Anshi-Dandeli Tiger Reserve in the Western Ghats of Karnataka.

Mhadei, along with Netravali and Bhagwan Mahavir Wildlife Sanctuaries are located within the iron ore mining zone of Goa and are under intense mining pressure. At the behest of a non-governmental organisation, Goa Foundation, around 80 mining leases were stopped in Protected Areas of Goa by a petition to the Supreme Court, in recent times. Restoring the link between Bhagwan Mahavir and Mhadei Wildlife Sanctuary would be essential to allow movement of tigers from Anshi to Mhadei via Protected Areas of Netaravli and Mollem.

The Phase I exercise recorded tiger presence in Mollem Wildlife Sanctuary and in the forests of Ponda and Sanguem Tehsils. Tiger occupancy within the state was low about 322 km² but is encouraging as these forests form part of the corridor connecting Anshi-Dandeli in Karnataka to Sahayadri Tiger Reserve in Maharashtra. Goa can potentially be home to a small breeding population of tigers which would be sustained by immigrants from Anshi-Dandeli as well as Sahayadri. It would therefore benefit from being incorporated as part of tiger reserve complex.

©VISHAKH UPPALI/WWF-INDIA

Annexure 6



जयराम रमेश
JAIRAM RAMESH

राज्य मंत्री (स्वतंत्र प्रभार)
पर्यावरण एवं वन
भारत सरकार
नई दिल्ली-110003
MINISTER OF STATE (INDEPENDENT CHARGE)
ENVIRONMENT & FORESTS
GOVERNMENT OF INDIA
NEW DELHI - 110 003

28th June 2011

Dear Digambar-

I am writing to you with the request for declaring the Mhadei Wildlife Sanctuary situated in Sattari Taluk of North Goa as a tiger reserve. There is evidence to show that tigers in Goa are not merely transient animals but are a resident population as well. Mhadei is a contiguous tiger landscape to Bhimgad Wildlife Sanctuary in Karnataka to its south-east and to Anshi Dandeli Tiger Reserve to its south which has around 35 tigers.

2. In a study carried out in 2008, the Wildlife Institute of India had pointed out that the protected areas of Goa and their contiguous forests in Karnataka and Maharashtra are possibly some of the best potential tiger habitats in the Western Ghats region and they are in need of protection.

3. I understand that there is considerable local community support for the creation of a tiger reserve and for wildlife conservation. By declaring Mhadei Wildlife Sanctuary as a tiger reserve, we would also ensure the long-term protection of biodiversity-rich areas.

4. I urge you to give this idea the most serious consideration and submit a proposal to us so that we can take it forward quickly. You may also want to consider expanding the tiger reserve beyond the existing Mhadei Wildlife Sanctuary.

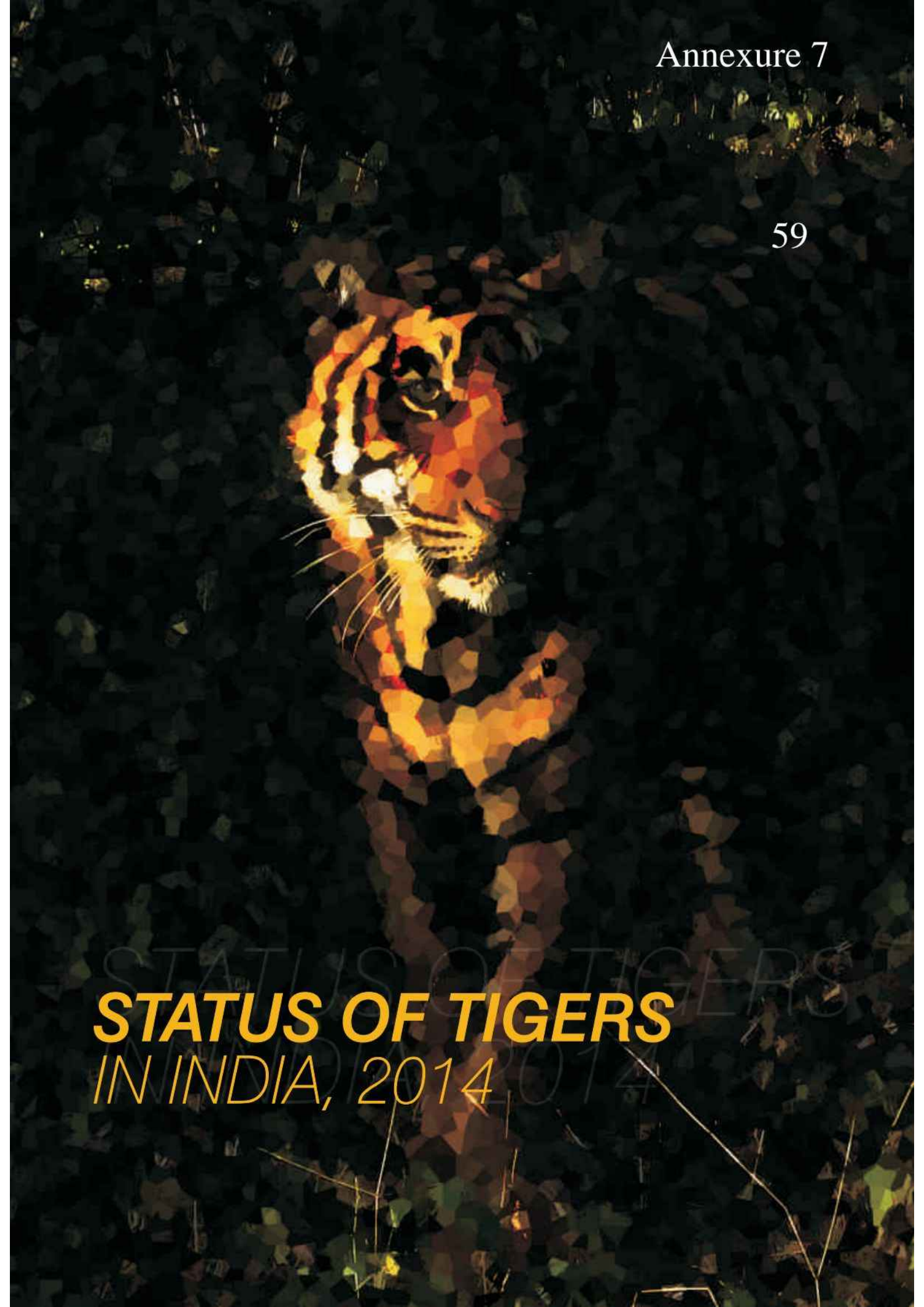
Warm personal
With regards,

Yours sincerely,

Jairam Ramesh

(Jairam Ramesh)

Shri Digambar Kamat
Chief Minister
Government of Goa



# STATUS OF TIGERS
## IN INDIA, 2014

***The total number of tigers (>1.5 years of age) estimated in India in 2014 was 2226 (1945 to 2491)***

| State | Tiger Population | | |
|---|---|---|---|
| | 2006 | 2010 | 2014 |
| ***Shivalik-GangeticPlain Landscape Complex*** | | | |
| Uttarakhand | 178 (161-195) | 227 (199-256) | 340 |
| Uttar Pradesh | 109 (91-127) | 118 (113-124) | 117 |
| Bihar | 10 (7-13) | 8 (-) | 28 |
| ***Shivalik-Gangetic*** | ***297 (259-335)*** | ***353 (320-388)*** | ***485(427-543)*** |
| Central Indian Landscape Complex and Eastern Ghats Landscape Complex | | | |
| Andhra Pradesh (Including Telengana) | 95 (84-107) | 72 (65-79) | 68 |
| Chhattisgarh | 26 (23-28) | 26 (24-27) | 46 |
| Madhya Pradesh | 300 (236-364) | 257 (213-301) | 308* |
| Maharashtra | 103 (76-131) | 169 (155-183) | 190 |
| Odisha | 45 (37-53) | 32 (20-44) | 28 |
| Rajasthan | 32 (30-35) | 36 (35-37) | 45 |
| Jharkhand | - | 10 (6-14) | 3+ |
| Central India | 601 (486-718) | 601 (518-685) | 688(596-780) |
| ***Western Ghats Landscape Complex*** | | | |
| Karnataka | 290 (241-339) | 300 (280-320) | 406 |
| Kerala | 46 (39-53) | 71 (67-75) | 136 |
| Tamil Nadu | 76 (56-95) | 163 (153-173) | 229 |
| Goa | - | - | 5 |
| Western Ghats | 402 (336-487) | 534 (500-568) | 776(685-861) |
| ***North Eastern Hills and Brahmaputra Flood Plains*** | | | |
| Assam | 70 (60-80) | 143 (113-173) | 167 |
| Arunachal Pradesh | 14 (12-18) | - | 28* |
| Mizoram | 6 (4-8) | 5 | 3+ |
| Northern West Bengal | 10 (8-12) | - | 3 |
| North East Hills, and Brahmaputra | 100 (84-118) | 148 (118-178) | 201 (174-212) |
| Sunderbans | - | 70 (64-90) | 76 (62-96) |
| ***TOTAL*** | ***1,411 (1,165-1,657)*** | ***1,706 (1,520-1,909)*** | ***2226(1945-2491)*** |

* *Likely to be revised as sampling is ongoing in the state*
\+ *From scat DNA*
♣ *From camera trap data and scat DNA*

***Table 2 :*** *Estimated tiger numbers for States and landscapes in 2014 in India compared to earlier estimates reported for 2006 and 2010.*

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# 07 Western Ghat Landscape

*Tiger population and occupancy has shown a substantial increase within this landscape. States of Karnataka, Kerala and Tamil Nadu have all registered an increase in tiger abundance. Goa now has a persistent tiger presence with about 3-5 tigers. The Mudumalai-Bandipur-Nagarhole-Wayanad complex holds the world's single largest tiger population currently estimated over 570 tigers. The Sahyadri Tiger Reserve has between 5-8 tigers based on scat DNA and model based predictions. The Sahyadri tiger population though a part of the Western Ghat Landscape is accounted for in the Central Indian Landscape in the state of Maharashtra.*

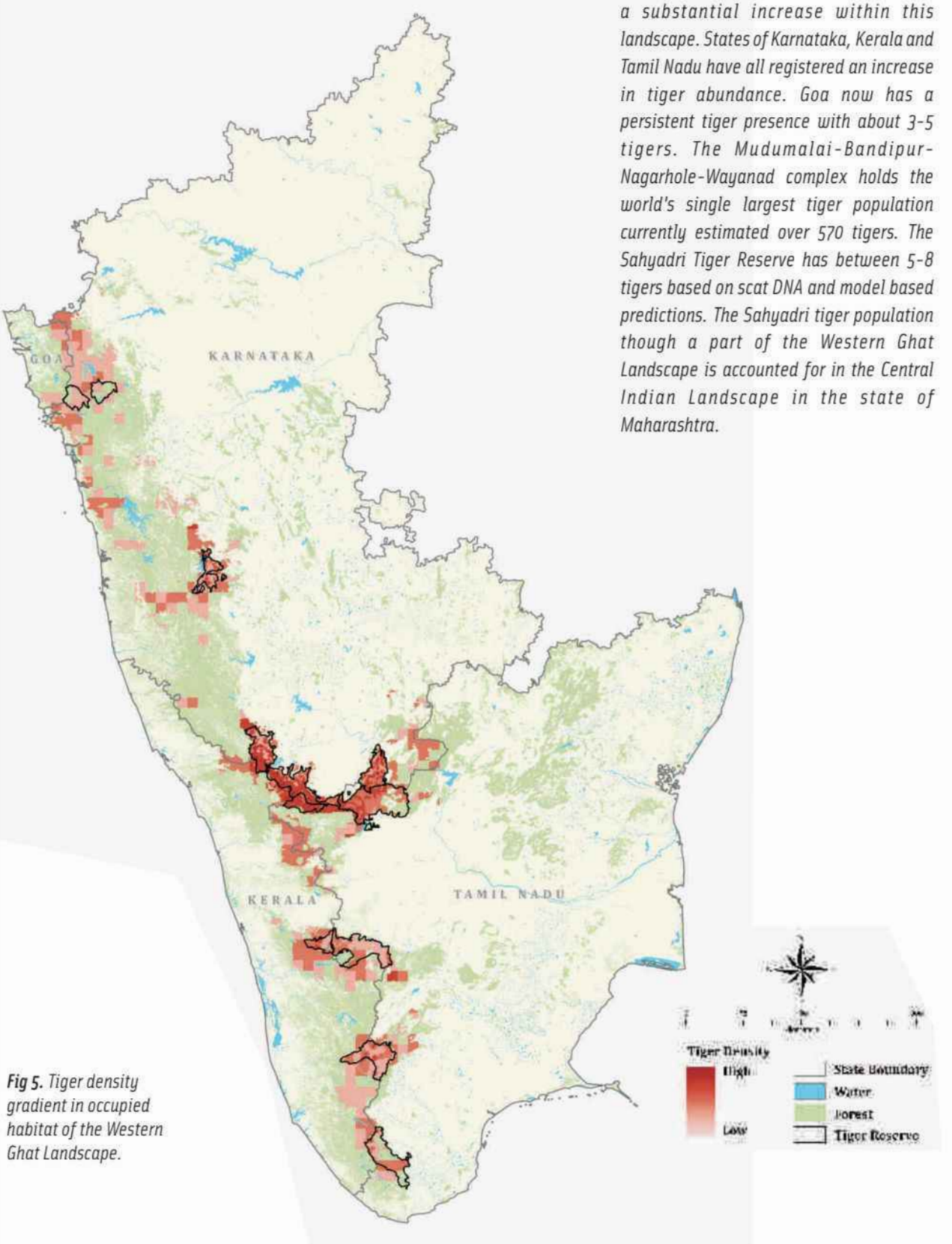


***Fig 5.*** *Tiger density gradient in occupied habitat of the Western Ghat Landscape.*

F.No. 1-20/2013-NTCA
Government of India
Ministry of Environment, Forests & Climate Change
National Tiger Conservation Authority

B-1 Wing, 2nd Floor
Paryavaran Bhavan CGO Complex
Lodhi Road New Delhi 110 003

Dated: 31.3.2016

To:
The Principal Chief Conservator of Forests (Wildlife) &
Chief Wildlife Warden, Goa
Goa Forest Department
Gomantak Maratha Samay Building
S.V. Road, Panaji Goa 403 001

Sub: Constitution of a New Tiger Reserve in the State of Goa – reg

Sir,

As you are aware the National Tiger Conservation Authority had conducted status of tigers co-predators and prey in India in collaboration with the Wildlife Institute of India and the State. As per the said exercise Cotigao-Madei Forest Complex of your state has recorded tiger presence meaning thereby having potential to head tiger population. This forest complex comprises of the protected areas covering an area of about 750 sq.mts having contiguity with the Kali Tiger Reserve and Bhimgad Wildlife Sanctuary of Karnataka and other protected areas of Maharashtra state.

In view of the above it would be in the fitness of things to notify the said area as a tiger reserve. This would enable us to provide central assistance to the state to upgrade the protection status of the said landscape under the ongoing Centrally Sponsored Scheme of project tiger (CSS-PT) besides fostering the existence agenda with local people in peripheral buffer area.

In this context I am directed to request you that a proposal in this regard may be sent to the Authority from the State Government as required under Section 38 (v) of the Wildlife Protection Act 1972 to enable us to take further steps in this matter.

Yours faithfully
Sd/-
Dr. H.S. Negi
Inspector General of Forests (N)

**GOVERNMENT OF GOA,**
O/O PRINCIPAL CHIEF CONSERVATOR OF FORESTS,
**GOMANTAK MARATHA SAMAJ BLDG.,**
PANAJI-GOA.

Ph. 0832-2422

No. 2-58-WL-Tiger reserve-2016-FD/ 277 Dated: 19.04.20
20

To
The Dy. Conservator of Forests,
Wildlife & Eco-Tourism (North),
Wildlife & Eco-Tourism (South),
Panaji/ Margao– Goa.

Office of the
Dy. Conservator of Forests
Wildlife & Eco-Tourism (North)
Panaji - Goa
Inward No. 234
Page No. 20
21/4/16

**Sub: Proposal for Constitution of new Tiger Reserve.**
**Ref : Corres. from MoEF & CC, Government of India dated 31.03.2016**

The National Tiger Conservation Authority has intimated that Protected Are network of our State, in the Western Ghats are critical for tiger conservation in th region as these complexes are in continuity with the Protected Areas specifically Kal Tiger Reserve of Karnataka and Protected Areas in North in Maharashtra. There it is fit to be notified as a Tiger Reserve as well.

In this regard, you are directed to demarcate the continuous forested habitat of our Protected Areas in the Western Ghats excluding the Human habitation / villages which can form the core of a future Tiger Reserve in Goa. This map showing linkages to Protected Areas/ Tiger Reserve of Karnataka and Maharashtra is to be prepared in consultation with Dy. CF (Working Plan) and submitted in a time bound manner by June 2016, end or before.

**(M. K. Shambhu), IFS**
Conservator of Forests
(Wildlife & Eco-Tourism),
Panaji-Goa.

Copy to:
1. The Dy. CF (Working Plan), Ponda – Goa, for information and necessary action.
2. The Chief Wildlife Warden, Panaji for favour of information.



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ISSUED UNDER RTI

 Annexure 10 64

**MINUTES OF THE MEETING HELD AT CONFERENCE HALL PONDA ON THE ISSUE OF PROPOSAL FOR CONSTITUTION OF NEW TIGER RESERVE**

Upon the direction of Conservator of Forests, Wildlife & Eco-Tourism, Panaji on the issue of proposal, meeting has been held on 20/06/2016 at 3.30 p.m. at Conference Hall Ponda for Constitution of new Tiger Reserve.

Following officers were present for the meeting

| | | |
|---|---|---|
| 1 | Dr. Anil Kumar, IFS | Deputy Conservator of Forests, Wildlife & Eco-Tourism, (North) Panaji Goa |
| 2 | Shri Sanjay Waradkar, IFS | Deputy Conservator of Forests, Wildlife & Eco-Tourism, (South) Margao Goa |
| 3 | Shri A.T. Damodhar, IFS | Deputy Conservator of Forests, Working Plan Division, Ponda Goa |
| 4 | Shri K.M. Ramadasan | Chief Forest Surveyor, Working Plan Division, Ponda Goa |
| 5 | Shri Santosh Fadte | Assistant Conservator of Forests, Working Plan Division, Ponda Goa |
| 6 | Shri Nandkumar Parab | Assistant Conservator of Forests, Wildlife & Eco-Tourism, (North), Panaji Goa |
| 7 | Shri Anand Jadhav | Assistant Conservator of Forests, Wildlife & Eco-Tourism, (South) Margao Goa |
| 8 | Smt. Suwarna M. Gaude | Forest Surveyor |
| 9 | Shri Dilesh Dessai | Forest Surveyor |

During the meeting Deputy Conservator of Forests, Working Plan Division, briefly explained about the concept and importance of Constitution of new Tiger Reserve in Goa and also explained about the objective/intension of the meeting. It was directed to demarcate the continuous forested habitat of Goa's protected areas in the Western Ghats excluding the human habitation/villages which can form a core of the future tiger reserve.

The Deputy Conservator of Forests, Wildlife & Eco-Tourism, (North) has informed that a tentative demarcation of the potential core area for tiger reserve in the protected areas on Survey of India toposheet (1:50,000) has been completed and it will be submitted to Working Plan Division. He has also mentioned that during the demarcation on map, the portion of protected areas including Wildlife Sanctuaries and National Parks which has more human habitation inside as well as in proximity to human habitation and protected areas where in Cashew plantations are existing have been excluded, in

65

Further Deputy Conservator of Forests, Working Plan Division has requested Deputy Conservator of Forests, Wildlife & Eco-Tourism, (South) to carry out similar exercise and submit the tentative map within one week time.

Further Chief Forest Surveyor has agreed to prepare a tentative Tiger Reserve map after compiling the information from both the Wildlife Divisions and subsequently a comprehensive proposal for "Constitution of new Tiger Reserve" will be compiled by Working Plan Division in consultation with Conservator of Forests, Wildlife & Eco-Tourism, and submitted to Principal Chief Conservator of Forests.

Deputy Conservator of Forests, Working Plan Division has also requested both Deputy Conservator of Forests, Wildlife & Eco-Tourism, North and South to prepare a write up in order to justify the constitution of Tiger Reserve along with photographic and documentation evidence. Both the Deputy Conservator of Forests, have agreed upon to provide the description to make a comprehensive proposal for constitution of New Tiger Reserve.

Meeting ended with thanks to all the participants.

22/06/16

(Damodhar A.T.,) IFS
Deputy Conservator of Forests,
Working Plan Division,
Ponda- Goa.

No. DCF(WP)/EST/TIGER-RES/57/16-17/163 dt:-23/06/2016

Copy to:- 1) The Chief Conservator of Forests, Forest Department, Panaji.

2) The Conservator of Forests, Wildlife & Eco-Tourism, Forest Department, Panaji.

3) The Deputy Conservator of Forests, Wildlife & Eco-Tourism, (North) Panaji Goa.

4) The Deputy Conservator of Forests, Wildlife & Eco-Tourism, (South) Margao Goa.

5) The chief Forest Surveyor, Working Plan Division, Ponda Goa.

Office of the
Dy. Conservator of Forests
Wildlife & Eco-Tourism (North)
Panaji - Goa
Date 1247
Page no. 47
Date 29/06/16

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GOA FOREST DEPARTMENT

Minutes of the meeting of State Board for Wildlife held on 12/10/16

Meeting of the State Board for Wildlife re-constituted vide Notification no. 2/185/2003-FOR/214 dated 05.08.2016 was held at 10:45 hrs on 12/10/16(Wed) at the Conference room, Ministerial Block, Secretariat, Porvorim.

The Hon'ble Chief Minister, Goa & Chairperson chaired the meeting and the Hon'ble Minister for Forest, Panchayats and Environment & Vice Chairperson of the Board was present. The list of other members to the board who attended the meeting is annexed.

The Chief Wildlife Warden, Goa and Member Secretary welcomed the Chairperson, Vice Chairperson and all members to the first meeting and informed that the previous meeting of earlier Board was held over two years ago in August, 2014. The proceedings commenced with discussion on the agenda items.

**Agenda item 3.1:**

Discussion on Action Taken Report (ATR) on the decisions taken in the previous meeting of State Board for Wildlife was held. It was clarified that against ATR item I(ii) the Water Resources Department is yet to furnish the revised proposal as advised by the earlier Board for construction of dam at Chorauneum. The Chairperson sought clarifications on the entry fee for children at Bondla, Dudhsagar circuit and the number of vehicles registered to operate there. It was clarified that the entry charges for children is retained at Rs 10 while entry charges for adults has been revised to Rs 50/- per head at Bondia. In total 431 vehicles are registered to operate in the Dudhsagar circuit. While the same was not changed for other PAs including Dudhsagar circuit. Also annual fee payable by the tourist jeep operators was not increased from Rs 7,500/- to Rs 10,000/- due to representations received from the Tourist Taxi Operators Association. The Board has opined that while the annual fee could be retained at the existing level, the entry fee for visitors could be revised as this move shall ensure greater revenue returns.

The Board ratified the ATR and then listed agenda items were taken up.

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country. And after their comments are received on GOIs proposal, this will be finalised and resubmitted to the UNESCO for approval.

The Vice Chairperson suggested that proposals for a suitable name for the Goa cluster could be obtained from members of public or Art & Culture department.

**Agenda 3.7: Constitution of a Tiger Reserve in Goa.**

The Board was informed about a proposal having been received from the National Tiger Conservation Authority (NTCA) for constitution of a Tiger Reserve in the State in view of presence of tigers having been reported from Goa as part of the All India Estimation of Tigers in the year 2014. An area of 590 sq km that is relatively free of any major human habitations has now been identified as the likely area. The Vice Chairperson desired to peruse the map of the area. It was clarified that the mapping process is underway. The members were informed that only the area within the notified PAs can be re designated as the Core Area of the Tiger Reserve and this will ensure a greater flow of funds from NTCA for protection and management as well as for relocation of such human habitations to outside who are willing to relocate.

Sh. Sandeep Azrenkar, Member sought to know the impact of the tiger habitat with the projects like railway track doubling and 4-laning of National Highway that will further impact the PAs. The Member Secretary stated in response that in view of provisions being made for underpasses, tunnels and over bridges, protective fencing, safe movement of wild animals will be ensured across the landscape.

Sh. Sujeetkumar Dongre suggested the identification of regular passages used by wild animals for finalising the location of underpasses. A final proposal will be brought to the Board for approval before it is sent to NTCA for consideration.

**Agenda 3.8: Activities undertaken by Wildlife Wing during 2015-16.**

The Member secretary highlighted the important activities undertaken by the Forest Department in the Wildlife sector during the past one year like the Wildlife field survey technique exercise as a part of capacity building programme of front line staff, organising a training workshop on the management of wildlife in distress in collaboration with Wildlife Institute of India at Bondla Wildlife Sanctuary in June'16. Completion of Indo –German project on Coastal & Marine Protected Areas at Chorao, Marine turtle

GOVERNMENT OF GOA
OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS
WILDLIFE & ECOTOURISM (NORTH) DIVISION
1ST LIFT, 4TH FLOOR, JUNTA HOUSE,
PANAJI – 403 001 (GOA)

Phone: 0832-2229
Fax : 0832- 2422
E mail: dcfwlnorth-forest.goa@ni

No. 1-579/WL&ET(N)/14-15/2280 Dated: 13/12/2016

To
The Dy. Conservator of Forests,
Working Plan division,
Ponda – Goa.

Sub: Additional information on Proposed Tiger Reserve in the state of Goa.
Ref: Your office communication no. DCF(WP)/EST/TIGER RES/2016-17/464 dated 06/12/16.

Sir,

Please find enclosed herewith, the proposed Tiger Reserve Plan for Mac Wildlife Sanctuary and Bhagwan Mahaveer Wildlife Sanctuary & National Park, Molle showing the location of all habitats, all weather roads, large habitations excluded fro the proposed tiger reserve and household particulars inside & outside the proposed Tig Reserve for your information and necessary action.

Yours faithfully,
13/12/16
( Dr. A. Anil Kumar, IFS
Dy. Conservator of Fores

Encls: a.a

"Swach Bharat Nital Goem"
Towards greener and cleaner Goa

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# PLAN



SHOWING THE PROPOSED TIGER RESERVE AREA IN THE NORTH GOA DIVISION ALONG WITH ROAD NETWORK AND HUMAN HABITATION

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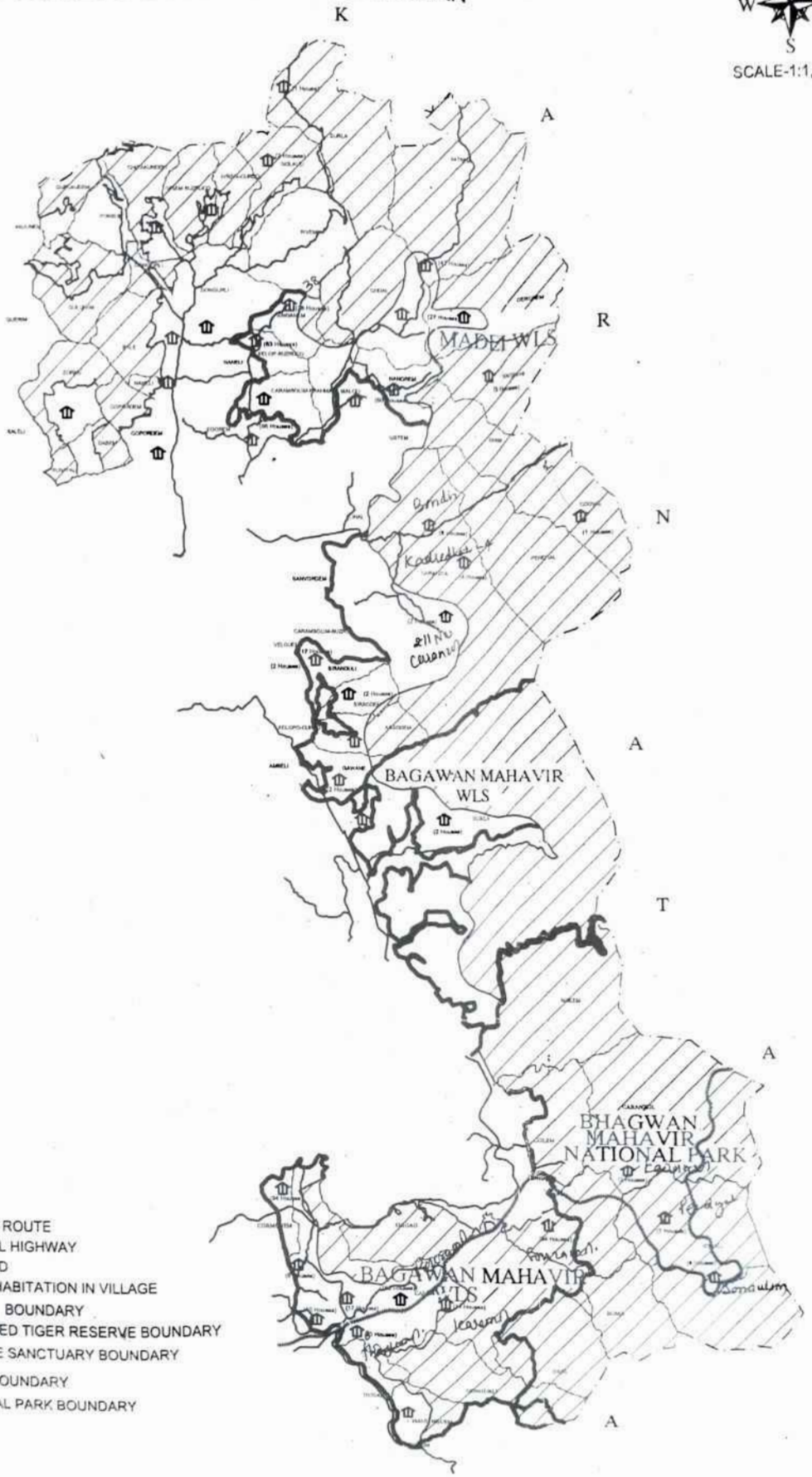


## LEGEND

- RAILWAY ROUTE
- NATIONAL HIGHWAY
- TAR ROAD
- HUMAN HABITATION IN VILLAGE
- VILLAGE BOUNDARY
- PROPOSED TIGER RESERVE BOUNDARY
- WILDLIFE SANCTUARY BOUNDARY
- STATE BOUNDARY
- NATIONAL PARK BOUNDARY

Annexure 13

7D

# TOUR NOTE OF DR. DEBABRATA SWAIN, ADG (PT) & MS (NTCA) FOR THE VISIT TO GOA AND KARNATAKA

On 18.11.2017 reached Goa and discussed with PCCF, Goa about the status of tigers and its conservation in the State of Goa. The PCCF, Goa apprised that the Protected Areas in Goa is about 735 sq.km. and it has six Wildlife Sanctuaries and one National Park. The forests along Goa, Karnataka and Maharashtra border are connected to Kali Tiger Reserve-Bhimgarh Wildlife Sanctuary landscape in Karnataka and reserve forests in Sindhudurg district of Maharashtra. Therefore, four sanctuaries namely Mhadei Wildlife Sanctuary, Bhagwan Mahaveer National Park and Wildlife Sanctuary, Netravali Wildlife Sanctuary and Cotigao Wildlife Sanctuary are important for conservation of tigers.

On 19.11.2017 visited Mhadei Wildlife Sanctuary which is the northern most sanctuary of Goa. Declared a Wildlife Sanctuary in 1999, spread over an area of 208 sq.km. and derived its name from Mhadei river which flows across the sanctuary. It is located is Sattari taluk of North Goa and is connected to Sindhudurg forest of Maharashtra and Bhimgarh Wildlife Sanctuary of Karnataka.

I visited the sites where a tiger made a kill earlier and camera trapped in a private estate in the foothills of Mhadei Sanctuary. The PCCF, Goa informed that Govt. of Goa is considering constituting Mhadei WLS, Bhagwan Mahaveer NP & WLS, Netravali Wildlife Sanctuary and Cotigao WLS together in the Western Ghats as proposed Tiger Reserve.

The PCCF, Goa was requested to submit the proposal as soon as possible and the proposal will be considered favourably by the NTCA.

It was also discussed that the camera trap photographs of Goa will be shared with photographs of Karnataka and Maharashtra to find out commonality of tigers moving across the landscape. IGF, NTCA Regional Office, Bangalore will coordinate the sharing of photographs of tigers.

**(Action: PCCF, Goa / IGF, NTCA RO, Bangalore)**

On 20.11.2017 visited National Centre for Biological Science (NCBS), Bangalore to find out the progress of research study of melanistic tiger that is prevalent in the wild in the Similipal Tiger Reserve. Melanistic tigers in captivity were also born in Nandankanan Zoo during the last couple of years. NTCA in collaboration with NCBS (Dr. Uma Ramakrishnan) has taken up a research study to find out the reason of melanism and the future of melanistic tigers in Similipal.

The researcher Mr. Vinay made a presentation of the status of the research study and apprised that from the sample collected from melanistic tigers of Nandankanan Zoo.



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the melanism is positively due to Trans-membrane Aminopeptidase. Q: tagpep. They are required to collect tiger scats to derive DNA from Similipal Tiger Reserve. It was advised to collect the scat samples during winter failing which tiger scats are rarely encountered in summer and rainy season.

**(Action: Dr. Uma Ramakrishnan, NCBS/ Field Director, Similipal)**

On 21.11.2017 visited the Biligiri Ranganatha Temple (BRT) Tiger Reserve. Interacted with the field staff and IGF, NTCA Regional Office, Bangalore, Field Director, Project Tiger, Mysore and Director, BRT Tiger Reserve. During the interaction enquired about movement of wild animals and protection related issues. It was suggested to revive and restore the existing wireless network in the tiger reserve on priority basis. It was also suggested that PCCF & CWLW, Karnataka to submit a detailed project proposal with financial requirement regarding research on biological control of Lantana weed in Tiger Reserve area.

**(Action: PCCF (WL), Karnataka / IGF, NTCA RO, Bangalore)**

**(Dr. Debabrata Swain)**
**ADG (PT) & MS (NTCA)**
**18.12.2017**

Goa Forest Department

## Minutes of the meeting of State Board for Wildlife held on 16/12/2017.

Meeting of the State Board for Wildlife (SBWL) re-constituted vide Notification no. 2/185/2003-FOR/ 323 dated 07 .09.2017 was held at 5.30 P.M. on 16/12/2017 ( Saturday)

The Hon'ble Chief Minister, Goa & Chairperson chaired the meeting. The list of the other members to the board who attended the meeting is annexed herewith. Leave of absence granted to Director of Fisheries, The State Head, HQ2 STC Panaji, Director Animal Husbandry Services, Director, Wildlife Institute of India, Botanical Survey of India and Zoological survey of India.

The Principal Chief Conservator of Forest & Chief Wildlife Warden, Goa and Member Secretary welcomed the Chairperson and all members for the first meeting of the re-constituted Board and informed that the previous meeting of earlier Board was held on 12/10/2016. The proceedings commenced with the discussion on the agenda items.

**Agenda item - 4.1: Action Taken Report on the 3rd Meeting of the board on 12/10/2016**

Board was informed about the action taken on the decisions of the previous meeting of SBWL .Member Secretary, informed that main decisions taken were to enhance entry fee for Dudhsagar Circuit , survey on Man-Animal conflict issue faced by the people at the fringe areas of PAs , Clearances under FCA including Doubling of Castle Rock-Collem Railway Track and Four laning of NH-7A Goa –Belgaum highway passing through Bhagwan Mahaveer WLS and NP, Mollem, management of tourism especially at Dudhsagar Circuit, habitat improvement in PAs and Protection of Salmona Spring. The Chairperson sought clarification on habitat improvement i.e. removal of exotic especially Eucalyptus (Niligiri tree) in Protected Areas. It was clarified that *Eucalyptus* and *Acacia auriculiformis* are the main exotic tree species which have been planted on fallow and difficult lands earlier and since the ban is there on export of timber, the local demand is

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**Agenda item: 4.5 Proposed Tiger Reserve:**

Members Secretary informed about the proposed Tiger Reserve for which a map has been prepared comprising largely undisturbed areas with few human hamlets as core zone adjoining the Kali Tiger Reserve and Bhimgad Wildlife Sanctuary of Karnataka and Maharashtra in the North of Madei WLS, Bhagwan Mahaveer WLS & NP, Netravali and Cotigao WLS. He explained that the large human settlements and tourism areas have been proposed in the buffer zone in the existing PA. Member Secretary informed that the proposed Tiger Reserve map is prepared after the area is intensively studied by the Forest Department in association with Wildlife expert Dr. A.J.T. Johnsingh, Retd. Scientist, WII. Chairperson desired to furnish him details along with study report on socio-economic impact on locals residing in the fringe areas before discussing the same in the Board.

**Agenda item-4.6 Marine Conservation Programme in the State of Goa:**

Member Secretary informed that the MoEF & CC, G.O.I. has sanctioned Rs. 64 lakh for a new project at Galgibag under its CSS-Integrated Development of Wildlife Habitat. "Dakshin Foundation", a Bangalore based NGO specialized in Marine Conservation Programme is being engaged. Also a proposal submitted to the GCZMA under ICZMP for sustainable Coastal Tourism in other important beaches and sea areas of Goa has been approved. The Chairperson advised to keep open old traditional access point to the beach used by locals in Galgibag for their use.

Further, the Chairperson stressed that as per the order passed by the Hon'ble National Green Tribunal against the improperly erected shacks at Morjim beach, Pernem taluka strict action be taken against such shack owners by the Department. He suggested using barricade to restrict their extension into the beach area .

:1/N: Annexure 15

Wildlife & Eco-Tourism (N) Div.
Goa Forest Department



1-579(Part) /WL & ET (N)/ 17-18/3967 Dated: 21/03/2018
23

## Office Note

The subject matter in the file pertains to Proposal for constitution of Tiger Reserve for the State of Goa. In the last meeting of the State Board of Wildlife, Hon'ble Chief Minister / Chairperson desired to furnish him detail about proposal of Tiger Reserve. Upon the direction the detail of proposal is framed and submitted as below.

1. **Overview :**

Goa is the Smallest of all the states in the country and form a part of Western Ghat landscape. It shows high diversity of endemic species, habitats and eco-systems.

Goa Forests on eastern border are contiguous to Kali Tiger Reserve – Bhimgad WLS of Karnataka and in the north with Reserve forests in Sindhudurg district of Maharashtra. Presence of 5 Tigers was reported from the State of Goa based on the All India Estimation of Tigers, Co-Predators and Prey; 2014 and annexed as 'Annexure-I.'

The MoEF & CC, Government of India has urged the State to consider the constitution of a Tiger Reserve and vide letter F. No. 1-20/2013-NTCA dated 31/03/2016 requested to prepare proposal for its constitution placed at Page No. **1/c.**

2. **History of Project Tiger in India:**

The Royal Bengal Tiger (*Panthera tigris tigris*) has always been an integral part of the life and legend of India. At the beginning of the 1900s, the Indian tiger population was estimated at 40,000 animals.

The first official estimate done in 1972, recorded only about 1800 tigers. This led to the establishment of a task force under the Indian Board of Wildlife, and based on their recommendations, 'Project Tiger' was launched.

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An internationally acclaimed wildlife conservation step taken by India in 1973 to protect tiger, our top predator and National Animal. Project tiger was launched in 1973-74 in 9 eco-typical specially designated areas of the country, which has a core – buffer strategy. Core area has a completely wildlife conservation oriented land use; the buffer is treated as a multiple use zone to provide vegetal connectivity for spill over population of wild animals from the core conservation unit.

3. **Aim & Objectives:**

The project aims at tiger conservation in specially constituted 'tiger reserve; which is representative of various bio-geographical regions falling within India.

The objectives are (a) To maintain a viable population of tigers in India for scientific, economic, aesthetic, cultural, and ecological values; and

(b) To preserve for all times areas of biological importance as a national heritage for the benefit, education, and enjoyment of the people. (c) It strives to maintain a viable population of Tiger in the natural environment

**4. Key Tiger Habitats:** 75

There are 4 potential tiger habitat being are-

i) Shivalik –Gangatic Plain Landscape Complex ( *Uttarkhand, UP, Bihar*) with 485 tigers.

ii) Central Indian Landscape Complex and Eastern Ghats Landscape Complex (*AP, Telangana, MP, Chattisgarh, Jharkhand, Odisha, Maharashtra & Rajasthan)* with 688 tigers.

iii) North Eastern Hills and Brahmaputra Flood Plains (*Assam, Mizoram, Arunachal Pradesh, West Bengal, Sundarbans, North East Hills & Brahmputra*) with 278 tigers.

iv) Western Ghats Landscape Complex (Karnataka, *Kerala, Tamil Nadu & Goa*) with 776 tigers.

The Tiger density extent and population block within Western Ghat landscape is placed at Page No. **4/c**.

**5. Current Situation in Goa:**

The entire stretch of Protected Area network of Goa existing along the Western Ghats. Due to better protection, habitat improvement and monitoring using technology such as Camera Traps, we have now confirmed records of tiger in North-Eastern parts.

**6. Action Taken:**

The proposal was initially discussed in State Board of Wildlife meeting held on 12/10/2016. Thereafter, monitoring is being effected regularly in Madei Wildlife sanctuary where tiger movements are reported through deployment of trackers and using 20 no. of camera trap. Further, in order to prepare the officials working under wildlife circle and to familiarize them with new methodology sensitizing workshop was organized on Android Mobiles Application developed by the Wildlife Institute of India named "Monitoring System for Tiger – Intensive Protection and Ecological Status (MsTriPES) by the department in association with the WII, Dehradun.

A map has been drawn to demarcate the contiguous forest habitat in existing Protected Areas in Western Ghat as Core Zone, keeping main villages and human habitation outside this Zone, and placing them in the proposed Buffer Zone as far as possible. A copy of map for the state prepared by the DCF, Working Plan showing buffer zone including Eco-Tourism Zones in Madei, Bhagwan Mahaveer, Netravali and Cotigao Wildlife Sanctuary in proposed tiger reserve is annexed as 'Annexure-II'.

Out of 745.18 sq.km. Of PAs area, about 578.33 sq km is proposed as Core Zone and about 166.85 Sq. Km. as Buffer Zone and shown on the Map prepared by the DCF, Working plan is annexed as 'Annexure-III.'

7. **Extent and Constitution :**

The detail of core and buffer area of proposed TR Protected area wise along with legal status has been shown in tabular format placed at Page **7/C**

8. **Administrative and Status of villages:**

The detail of Administrative jurisdiction and status of villages of Proposed Tiger Reserve is prepared and shown in tabular format placed at Page **6/c**.

9. **Status of Human Habitation:**

The details of human habitation/villages which can form the core and buffer of a future Tiger Reserve in State of Goa is shown PA wise in Tabular format placed at Page **5/c**.

**10. Relocation of villages:**

The locations in the Protected Areas having large habitations have been decided to left out from Proposed Tiger Reserve whereas smaller habitations have been included as they can be considered for the purpose of re-location. Some of basic guidelines for re-location plan are listed as below.

a) Prioritization of villages to be relocated to be done based on Man-Tiger conflicts, tiger densities presence, grazing areas of ungulates.

b) Convening of Gram Sabha with participation of villagers to be relocated to inform them about the issue including the process of relocation /rehabilitation, options for payment and grievance redressal system. Free informed consent of Gram Sabha and affected villagers must be taken in writing regarding the proposed resettlement package/option.

c) Relocation has following two options

Option-I: Payment of the entire package amount of Rs. 10 lakhs per family, in case the family opts for this, without involving an rehabilitation/relocation process by forest department.

Option-II: Carrying out relocation/rehabilitation of village from protected area/tiger reserve by forest department.

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**11. Major Activities supported by Central Government.**

The Project Tiger is ongoing Centrally Sponsored Scheme of the MoEF & CC, Govt. Of India. 100 % Central assistance would be provided for non-recurring expenditure and 50 % Central assistance would be provided for recurring ones. The list of major activities supported under project tiger is placed at Page **3/c**.

The file is submitted for favour of perusal and appraisal of Chief Wildlife Warden Please.

(Vikas V. Dessai)
Dy. Conservator of Forests

**Conservator of Forests (WL&ET)**

**Press Information Bureau**
**Government of India**
**Ministry of Environment, Forest and Climate Change**
02 DEC 2019 4:11PM by PIB Delhi

**Tiger corridors in Country**

The National Tiger Conservation Authority in collaboration with the Wildlife Institute of India has published a document titled "**Connecting Tiger Populations for Long-term Conservation**", which has mapped out 32 major corridors across the country, management interventions for which are operationalised through a Tiger Conservation Plan, mandated under section 38V of the Wildlife (Protection) Act, 1972. The list of macro/landscape level tiger corridors are as under:

| Sl. No. | Landscape | Corridor | States/ Country |
|---|---|---|---|
| 1. | Shivalik Hills & Gangetic Plains | Rajaji-Corbett | Uttarakhand |
| | | (ii) Corbett-Dudhwa | Uttarakhand, Uttar Pradesh, Nepal |
| | | (iii) Dudhwa-Kishanpur-Katerniaghat | Uttar Pradesh, Nepal |
| 2. | Central India & Eastern Ghats | (i) Ranthambhore-Kuno-Madhav | Madhya Pradesh, Rajasthan |
| | | (ii) Bandhavgarh-Achanakmar | Madhya Pradesh, Chhattisgarh |
| | | (iii) Bandhavgarh-Sanjay Dubri-Guru Ghasidas | Madhya Pradesh |
| | | (iv) Guru Ghasidas-Palamau-Lawalong | Chhattisgarh & Jharkhand |
| | | (v) Kanha-Achanakmar | Madhya Pradesh, Chhattisgarh |
| | | (vi) Kanha-Pench | Madhya Pradesh, Maharashtra |
| | | (vii) Pench-Satpura-Melghat | Madhya Pradesh, Maharashtra |
| | | (viii) Kanha-Navegaon Nagzira-Tadoba-Indravati | Madhya Pradesh, Maharashtra, Chhattisgarh, Andhra Pradesh |
| | | (ix) Indravati-Udanti Sitanadi-Sunabeda | Chhattisgarh, Odisha |
| | | (x) Similipal-Satkosia | Odisha |

| | | | |
|---|---|---|---|
| | | (xi) Nagarjunasagar-Sri Venkateshwara National Park | Andhra Pradesh |
| 3. | Western Ghats | (i) Sahyadri-Radhanagari-Goa | Maharashtra, Goa |
| | | (ii) Dandeli Anshi-Shravathi Valley | Karnataka |
| | | (iii) Kudremukh-Bhadra | Karnataka |
| | | (iv) Nagarahole-Pusphagiri-Talakavery | Karnataka |
| | | (v) Nagarahole-Bandipur-Mudumalai-Wayanad | Karnataka, Kerala, Tamil Nadu |
| | | (vi) Nagarahole-Mudumalai-Wayanad | Karnataka, Kerala, Tamil Nadu |
| | | (vii) Parambikulam-Eranikulam-Indira Gandhi | Kerala, Tamil Nadu |
| | | (viii) Kalakad Mundanthurai-Periyar | Kerala, Tamil Nadu |
| 4. | North East | (i) Kaziranga-Itanagar WLS | Assam, Arunachal Pradesh |
| | | (ii) Kaziranga-Karbi Anglong | Assam |
| | | (iii) Kaziranga-Nameri | Assam |
| | | (iv) Kaziranga-Orang | Assam |
| | | (v) Kaziranga-Papum Pane | Assam |
| | | (vi) Manas-Buxa | Assam, West Bengal, Bhutan |
| | | (vii) Pakke-Nameri-Sonai Rupai-Manas | Arunachal Pradesh, Assam |
| | | (viii) Dibru Saikhowa-D'Ering-Mehaong | Assam, Arunachal Pradesh |
| | | (ix) Kamlang-Kane-Tale Valley | Arunachal Pradesh |
| | | (x) Buxa-Jaldapara | West Bengal |

Further, a 3 pronged strategy to manage human-tiger negative interactions has been advocated as follows:-

i. **Material and logistical support:** Funding support through the ongoing Centrally Sponsored Scheme of Project Tiger, is provided to tiger reserves for acquiring capacity in terms of infrastructure and material, to deal with tigers dispersing out of source areas. These are solicited by tiger reserves through an Annual Plan of Operation (APO) every year which stems out from an overarching Tiger Conservation Plan (TCP), mandated under Section 38 V of the Wildlife (Protection) Act, 1972. *Inter alia,* activities such as payment of ex-

gratia and compensation, periodic awareness campaigns to sensitize, guide and advise the general populace on man-animal conflict, dissemination of information through various forms of media, procurement of immobilization equipment, drugs, training and capacity building of forest staff to deal with conflict events are generally solicited.

ii. **Restricting habitat interventions**: Based on the carrying capacity of tigers in a tiger reserve, habitat interventions are restricted through an overarching TCP. In case tiger numbers are at carrying capacity levels, it is advised that habitat interventions should be limited so that there is no excessive spill over of wildlife including tigers thereby minimizing man-animal conflict. Further, in buffer areas around tiger reserves, habitat interventions are restricted such that they are sub-optimal vis-à-vis the core/critical tiger habitat areas, judicious enough to facilitate dispersal to other rich habitat areas only.

iii. **Standard Operating Procedure (SOPs):** The National Tiger Conservation Authority has issued following three SOPs to deal with man-animal conflict which are available in public domain:

i. To deal with emergency arising due to straying of tigers in human dominated landscapes
ii. To deal with tiger depredation on livestock
iii. For active management towards rehabilitation of tigers from source areas at the landscape level.

The three SOPs *inter alia* include the issue of managing dispersing tigers, managing livestock kills so as to reduce conflict as well as relocating tigers from source areas to areas where density of tiger is low, so that conflict in rich source areas does not occur.

In technical collaboration with the Wildlife Institute of India, the National Tiger Conservation Authority has also published a document titled '**Eco-Friendly measures to mitigate impacts of Linear infrastructure on wildlife'** to safeguard these corridors from linear infrastructure development besides sensitizing user agencies which *inter alia* include Indian Railway Traffic Service Probationers, National Highways Authority of India personnel, Indian Railway Engineers, besides others.

An amount of Rs. 370 crores, Rs. 345 crores and Rs. 350 crores was allocated during the financial years 2016-17, 2017-18 and 2018-19 respectively, while an amount of Rs. 350 crores has been allocated for the current financial year under the Centrally Sponsored Scheme of Project Tiger. Details of funds released under the ongoing Centrally Sponsored Scheme of Project Tiger, during the last three years and the current year, State-wise, are at **Annexure-I.**

Tiger
CONNECTING
POPULATIONS
FOR LONG-TERM
CONSERVATION

# WESTERN GHATS LANDSCAPE



From an ecological perspective, this region with a total forested area of 1,01,467 km$^2$ (Qureshi et al. 2006) comprising of nine notified Tiger Reserves, three proposed Tiger Reserve, viz., Sathyamangalam Tiger Reserve in Tamil Nadu and Kudremukh and Biligiri Rangaswamy Temple Hills (BRT) Wildlife Sanctuary in Karnataka; 20 National Parks and about 68 Wildlife Sanctuaries forms one of the largest Protected Area networks in India. The Nilgiri and Agasthiya-Malai Biosphere Reserves are also located within this zone in addition to several Reserved Forests and sacred groves, totalling to about 5.8% of the total forested area in the Western Ghats alone. This landscape has the potential to have contiguous tiger occupancy from the Dang forests in Gujarat up to the Palakkad Gap in Kerala and then again from Parambikulum-Indira Gandhi complex upto Kalakad-Mundanthurai Tiger Reserve. Within this landscape the most important source population is the Nagarahole-Mudumalai-Wayanad population which spans the three States of Karnataka, Tamil Nadu and Kerala with a high density (average density of over 4 tigers per 100 km$^2$) tiger population occupying a large area (over 9000 km$^2$). The other sources though occupying sufficiently large patches of habitat are of low tiger density (1-2 tigers per 100 km$^2$) and their nuclei are centred within Protected Area complexes. These source populations are Kalakad-Mundanthurai, Periyar and the Parambikulum-Indira Gandhi complex south of the Palakkad Gap, while Kudremukh, Bhadra, Anshi and Dandeli are north of the Palakkad Gap. A few tigers are also recorded from the forests in Goa and from the Sayahadri Tiger Reserve in Maharashtra. The populations in Goa and Maharashtra depend significantly on the narrow forest connectivity of the Western Ghat ridge.

The Western Ghat tiger populations are more connected with each other when compared to tiger populations in Central India and the Shivalik-Gangetic Plains landscapes. The habitat matrix in the Western Ghats is more conducive for tiger occupancy. However, the habitat connectivity is threatened by plantations, agriculture, industrial and infrastructural development. It would be prudent to timely identify and legitimize the minimal corridors needed for the conservation objective of ensuring gene flow between the Western Ghats tiger populations in times to come. The major impediments to tiger conservation in this zone are the existence of hydro-electric projects, hunting (Madhusudan and Karanth 2002) and deforestation of large areas for commercial plantations.

The Least Cost Path analysis provides the optimal corridor between Protected Areas. The minimal corridors defined here need to be safeguarded through policy and formal legislation. A designation of "ecosensitive areas" to these minimal habitat corridors would ensure that land uses within these corridors are not altered to such drastic levels that the corridors become non-functional and lose their conservation significance. These corridors have been designed based on the habitat potential for supporting tigers (occupancy probability), however, they would also fulfill the needs of many other wildlife species.

News Report in The Times of India
dated 09/01/2020

Times of I
Dt 9 Jan

# 4th tiger found dead in 4 days in Sattari forest

Rajendra P Kerkar

Panaji: The death toll of tigers rose to four in the state within four days, after a tiger cub was found buried, while, a few meters away, the carcass of the mother tigress was discovered in a decomposed condition by forest officials on Wednesday. Earlier, on January 7, combing operations by forest officials had found a dead cub.

The combing operations were launched after the carcass of a four-year-old male tiger was first spotted on January 5, in the forest of Golauli in Sattari taluka.

▶ Central team to probe deaths, report in 7 days, P 3

Though forest officials said the tigers were most probably killed after feeding on a poisoned buffalo, postmortem carried out on three of the tiger carcasses have shown no evidence of death due to poisoning.

"There is possibility that the tigers died due to poisoning, but so far we have not found evidences. Our investigation is in process. After forensic reports are available, reason for the death of the tigers would be known. On Thursday, postmortem of the fourth tiger (the cub found on Wednesday) will be carried out," deputy conservator of forests Vikas Desai said.

Police too were involved in the investigations, with the dog squad being brought at the spot where the tiger carcasses were found inside the Mhadei Wildlife Sanctuary. But as a week had passed since the deaths, the dogs could not provide any leads.

▶ Continued on P 3

# Of the four, only one tiger's claws were missing

▶ From P 1

After Dr Harsh Bathini conducted postmortem of the female cub and the mother tigress on Wednesday, it was reported that all the claws and teeths were intact. In case of one of the earlier tiger carcasses, claws were missing.

The reports of four tiger deaths are unprecendented in Goa and has left wildlife conservationists and residents of nearby areas in shock.

It is believed by some that the recent killing of domesticated animals in the area could have led to the tigers being poisoned. A case has been registered against unidentified persons under the Wildlife Protection Act and four suspects have been rounded up.

"Goa government does not have any concrete plans in place for protection of the tigers in the Mhadei Wildlife Sanctuary. On December 23, a tigress with three cubs were captured by a camera trap. Earlier, on December 22, a cow from the nearby settlement had been killed and, on December 30, a buffalo had been killed. In this scenario, officials should have planned a strategy to avoid anguish of the locals," said Amrutsingh, who heads Animal Rescue Squad.

Resident of Bhulpal village in Sattari, Suryakant Gaonkar, told TOI, "The death of four tigers is indeed shocking. For the first time, we have seen how treacherously the tigers have been killed and attempts have been made to destroy the evidences. This is painful. The forest department has to investigate the matter thoroughly and has to plan mitigation measures on warfooting to protect the remaining tigers in the Mhadei sanctuary. The man-tiger conflict should be dealt with properly to avoid the repetition of such tragic misdeed."

Last year, the Wildlife Institute of India census had reported the presence of three tigers in the Goa corridor. Forest officials later said that the tiger number was up to five in the Goa corridor, based on the tigers captured on the camera trap, after the census period.

Rajendra P Kerkar

It is believed by some that the recent killing of domesticated animals in the area could have led to the tigers being poisoned

## Stern action against perpetrators: Sawant

Stating that the tragic incidents of tiger deaths are shocking and saddening, chief minister Pramod Sawant said, "We will investigate and take stern action against the perpetrators." State authorities, he said, are working round the clock, and three arrests have been made so far. TNN

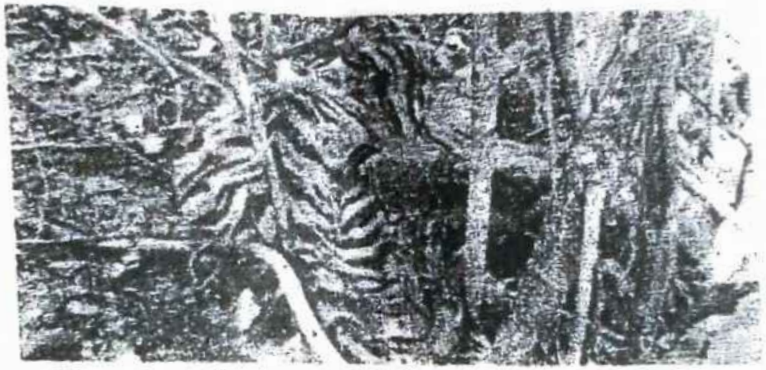
The New Indian Express
Dt 10 Jan 2020

# 4 tigers found dead in Goa sanctuary, Centre names 2-member probe team

TUSHAR A MAJUKAR
@Khanapur (K'taka-Goa border)

IN what is believed to be a case of poisoning, four tigers, including two cubs, were found dead in the Mahadei Wildlife Sanctuary of Goa, situated close to Khanapur over the last few days, triggering outrage among wildlife activists across the region. The Goa government has now ordered a detailed inquiry into the issue.

The spate of deaths have caused a huge dent on the image of Mahadei Wildlife Sanctuary (MWS), which is a tiger corridor. After the carcasses of the four tigers were recovered between Sunday and Wednesday, in Gulaveli village of Sattari taluk in Goa, the Ministry of Environment, Forests and Climate Change has constituted a two-member probe team. The team of Rajendra Garawad, AIG, NTCA, RO Bengaluru, and the Regional Deputy Director (western region, Mumbai) has been directed to submit its report within a week.



The carcass of a tiger found near Golavali village of Sattari taluk in Goa | EXPRESS

On Sunday, the carcass of a four-year-old Royal Bengal tiger was found in Gulavali village, sending the Forest officials into a tizzy. Gulaveli is deep inside the Mahadei Wildlife Sanctuary, which is part of a contiguous tiger corridor enjoining parts of Goa, Maharashtra and Karnataka. According to sources in the Forest Department, the tiger had died at least a week ago. Forest officials suspected that the tiger may have been poisoned by villagers for preying on cattle. P6

## LEOPARD MAULS 5-YEAR-OLD BOY IN TUMAKURU DIST

A five-year-old boy, identified as Samarth Gowda, was killed by a leopard in Manikuppe village of Gubbi taluk on Thursday. The boy was returning home with his grandmother from the fields when the leopard attacked them. Hundreds of angry locals staged a protest by blocking the main road at Hebbur later in the day and laid siege to the local police station.

# Tiger carcass found in highly decomposed state

CONTINUED FROM PAGE 1

ACCORDING to reports, the tiger was found in a highly decomposed state near a water body in Golavali by a group of villagers who were performing some rituals.

Two days later, Forest officials spotted a dead tiger cub in Golavali during combing operations. On Wednesday, another cub and a tigress were found dead in the same region.

After preliminary investigation, the authorities arrested Vhito Zipo Pawane (60), Malo Nago Pawane (55) and Gomo Nago Pawane (45), all residents of Gulaveli village. A local court in Goa has remanded them to police custody for three days.

Sources in the Forest department said the post-mortem report of the first tiger pointed out to missing claws, raising many questions.

The Forest officials suspect that poachers may have removed the claws which fetch good price in the black market.

It also came to light that the tiger had recently killed a buffalo and cow in the Golavali forests.

According to the recent tiger census, MWS is home to five tigers, of which four are dead now.

Under intense pressure, the officials expedited combing operation in the forest to ensure that the fifth tiger was safe inside, said wildlife activist Vithal Shelke, who is also part of the ongoing combing operation.

Speaking to *The New Indian Express*, Rajendra Kerkar, a member of the Goa Wildlife Advisory Committee, said that all the five tigers of MWS are of one family.

He said that after the cubs started growing up, the elder male tiger is suspected to have been separated from the group due to which they hope it is safe.

Kerkar said that the female tiger, along with her cubs, is suspected to have killed a buffalo and cow owned by a villager by name Pawane.

The Pawane family may have poisoned the tiger family, he alleged.

Kerkar said that a tiger usually leaves its half-eaten prey mid-way to drink water away from the spot for a certain interval.

During the same time, the villagers are suspected to have poisoned the half-eaten buffalo.

The carcasses of the two cubs and the tigress were found buried near Pawane's house.

## *Govt will investigate and take action: Goa CM*

Goa Chief Minister Pramod Sawant, who termed the death of tigers as shocking and saddening, tweeted that his government will investigate and take action against the perpetrators. In another tweet, he said, the state authorities are working round-the-clock and arrested three persons in this connection. Also, the @moefcc has constituted a committee to investigate into the matter, he added. Opposition leader in the Goa state assembly and former CM Digambar Kamat tweeted, "Most shocking to hear about the murder of a tiger family by poisoning in Sattari. I condemn the heinous act and demand Goa CM to ensure that the killers are caught and given harshest punishment. Let us live and let the tigers live." Expressing concern over the tiger deaths, Health Minister and local MLA Vishwajeet Rane appealed to Union Minister Prakash Javdekar to send a central team to conduct an inquiry.

# A REPORT ON TIGER DEATHS IN MHADEI WILDLIFE SANCTUARY, GOA

## BACKGROUND

Based on the preliminary report regarding the death of tigers in Mhadei Wildlife Sanctuary received from the IGF, NTCA, Regional office, Bengaluru and APCCF & CWLW, Goa, the National Tiger Conservation Authority (NTCA) constituted a team to cause enquiry in connection with the death of tigers in the sanctuary. The team comprised of AIGF, NTCA, Regional office, Bengaluru and representative of Regional Deputy Director, Wildlife Crime Control Bureau (WCCB), Western Region, Mumbai (Reference: NTCA OM dated 8th January, 2020).

The terms of reference of the team are : 1) To inquire into the cause of tiger death in this case, 2) The response / action taken by the concerned State Forest authorities in this case, 3) Compliance of the SOP issued by NTCA with regard to tiger death and disposal of tiger / leopard carcass / body parts, and 4) To suggest further legal course of action as per provision of Wildlife (Protection) Act, 1972 and as mandated under SOP of NTCA dealing with tiger death.

## FIELD VISIT

The team along with the following forest officials of Goa Forest Department visited various locations inside the Mhadei Wildlife Sanctuary from 9th to 11th January, 2020. During the field visit, extensive discussions were held with the APCCF & CWLW, Goa, other senior field officials and information related to tiger deaths was collated.

Table 1. Details of team members present during the field visit.

| Team Members | Designation |
|---|---|
| 1. Rajendra G Garawad | AIGF, NTCA, Regional office, Bengaluru |
| 2. Adimallayya, | Inspector, WCCB, Western Region, Mumbai |
| 3. Vikas Desai | DCF, Wildlife and Ecotourism (North) |
| 4. Jabestin Arulraj | DCF, Planning |
| 5. Sidesh Naik | RFO, Bondla Wildlife Sanctuary |

## BRIEF DESCRIPTION OF MHADEI WILDLIFE SANCTUARY

Mhadei Wildlife Sanctuary (MWS) is one of the important protected area of Goa with an area of 208.5 sq km. Located in the North Goa district in the Sattari taluka, the sanctuary was declared in the year 1999 and is well known for its biodiversity richness. River Mhadei (also known as Mandovi), the lifeline of Goa has part of its catchment within this sanctuary.

The sanctuary is connected to the larger tiger landscape of Karnataka comprising Kali Tiger Reserve, Bhimgarh Wildlife Sanctuary to the east and Bhagwan Mahavir National Park to the

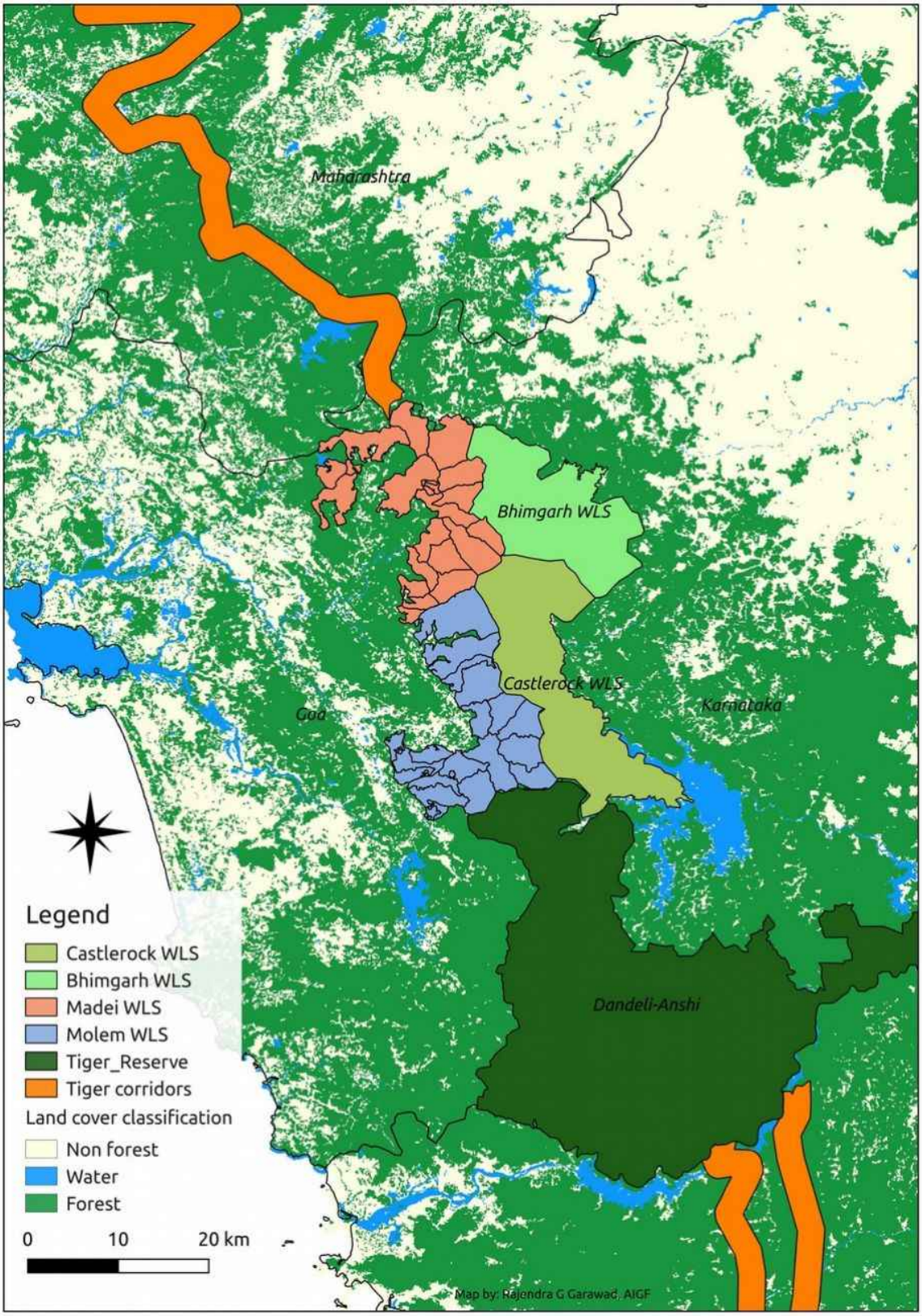
south (**Figure 1**). The forest types recorded in the sanctuary are West Coast Tropical Evergreen forest, Southern Moist Deciduous Forest and Subtropical Hill Forest that support diverse flora and fauna. The sanctuary also has great cultural significance since this region harbours most of the sacred groves of Goa.

Some of the mammals recorded within the sanctuary limits are tiger, leopard, sloth bear, gaur, barking deer, sambar deer, ruddy mangoose, Asian palm civet, small Indian civet, dhole, jungle gat, wild boar, Indian hare, giant squirrel, Indian pangolin and bonnet macaque. Main faunal diversity found in the sanctuary

The sanctuary is an 'Important Bird Area' (IBA) due to its rich avifaunal diversity and it satisfies IBA criterion of A1 (globally threatened species), A2 (restricted range species) and A3 (biome restricted species). It also forms an important part of the Western Ghats Endemic Bird Area (EBA) with seven species of the 16 endemic bird species of Western ghat EBA, recorded within the Mhadei valley.

Mhadei also has very good reptilian fauna and more than 45 snake species are known to be present in this region. Eight out of the 14 Pit Vipers found in India which includes Green Pit Viper and Humpnosed Pit Viper have been recorded here. High endemism has been observed in respect of invertebrates. India's largest butterfly, the Southern Birdwing is found in the sanctuary.

(A glimpse of Mhadei Wildlife Sanctuary. Pic courtesy: Vittal Shelke)




(Figure 1 – Map showing location of Mhadei WLS in the Western Ghat landscape)

## DETAILS OF TIGER MORTALITY EVENTS & INVESTIGATION DONE SO FAR

- On 20th December, 2019, a cow belonging to Vitho Pawane was killed by a tiger of Mhadei Wildlife Sanctuary (MWS). This incident of cattle depredation by tiger was reported by Vitho to the forest officials of MWS and a claim for compensation was filed.
- Subsequently, a buffalo cow of Malo Nago Pawane was killed by tiger on 30th December, 2019 in the Valpoi Territorial division (adjoining to MWS) area but the information about this incident was not conveyed to the forest officials of MWS. After learning about cattle depredation, the forest officials of the sanctuary had installed camera traps on 1st January, 2020 to observe the movement of tigers. However, no pictures of tigers were captured in the camera traps.
- On 5th January, 2020, villagers of Golauli who were visiting a cave dedicated to folk deity 'Sidhda' (situated in the interior area of MWS) for performing their annual ritual called 'Bhugut', noticed the carcass of a tiger carcass (**Tiger - 1**) inside the sanctuary. The information about a tiger carcass lying on the bank of a seasonal stream was given by these villagers to forest officials. The tiger carcass was within Golauli-Thane village area, Hivre Wildlife beat, Mhadei Wildlife Range of Mhadei Wildlife Sanctuary.
- Preliminary examination by forest officials revealed that the carcass was that of a sub adult male tiger, approximately 2-4 years old and death might have taken place 4-6 days ago. The carcass was putrefied and maggot infestation was observed was all over the body. As it was already late in the evening and dark, the postmortem was postponed to next day. Staff were deployed for overnight protection and monitoring of the tiger carcass.
- As soon as the news of tiger death inside MWS was received, by the Inspector General of Forests, NTCA, Regional office, Bengaluru, he got in touch with the APCCF & CWLW, Goa and apprised him about the provisions of Standard Operating Procedure (SOP) of NTCA for dealing with tiger death and requested for compliance of the SOP. Further, Shri Vittal Shelke of Vivekananda Environmental Awareness Brigade, Goa, was nominated as representative of NTCA for postmortem examination of tiger carcass.
- On 6th January, Shri Nandkumar Parab, ACF, was appointed as Investigating Officer (IO) by the Wildlife Warden. The postmortem of tiger carcass was done with the assistance of Dr Madhura Naik, private veterinary doctor and Dr Harsh, the local government veterinary doctor. During postmortem examination, only four claws were found and remaining 14 claws were missing from the carcass. Visceral samples like body fluids and other internal organs could not be collected due to putrefaction of the carcass. Metal detector was also used to rule out the possibility of tiger death due to gunshot. Senior forest officials, APCCF & CWLW, Goa, Shri Vikas Desai, DCF (North Goa Wildlife Division), Shri Kuldeep Sharma, DCF (Territorial division) and Shri Vittal Shelke, NTCA

representative were present during the postmortem and subsequent disposal of carcass by burning.

- Same day in the afternoon, 3 groups having around 10 staff in each group, from both territorial and wildlife division were formed for conducting combing in three different direction up to a distance of 1.5 km from the location of tiger carcass. During combing operation, fresh pugmarks of tiger was noticed approximately 500 meter to the north of incident site but no evidence regarding bullets or poisoning was obtained.
- After tiger carcass disposal, based on the information received one of the guard Shri Shablo Kopardekar, proceeded towards Dhangarwadi where a buffalo cow belonging to Vitho Pawane, resident of Dhangarwadi – Golauli village was killed by the tigress. The said staff met Vitho Pawane and requested to keep him apprised about the tiger movement in that area.
- A closer examination of the site where buffalo cow was killed by the tiger was carried out in the afternoon by another group of forest officials and noticed that there were two tiger scats and quills of porcupine.
- The combing operation inside the sanctuary by 3 groups continued on 7th January. In the afternoon, in presence of local independent witnesses, search operations were carried out in the houses of Vitho Pawane, Malo Pawane and Bomo Pawane. From the house of Vitho Pawane, a filled and another empty bottle of 'Butox', a chemical formulation used for treatment of ticks in cattle, was recovered.
- During search operation, Shri Nandkumar Parab, ACF & Investigating Officer (IO) received information from one of the combing team that foul smell was coming in a small perennial nalah located approximately 250 meter (aerial distance) from the house of Malo Pawane, one of the suspects **(Figure 2)**. A thorough search of the nalah area resulted in detection of a tiger carcass (**Tiger 3**) on the bank of perennial nala.
- While returning back, just by the side of nalah bed, the IO also noticed a place disturbed by digging and soil work. Upon closer examination, it was found that part of the soil in the disturbed place had turned blackish in color with flies hovering around. The IO suspected that some wild animal (most probably tiger carcass) must have been buried at that site. Owing to darkness, detailed examination of the site was postponed to the next day. Considering the latest developments, the suspects (Vitho Pawane, Malo Pawane and Bomo Pawane) were detained for further enquiry.
- Next day on 8th January, the sniffer dog squad from Police Department was used for detecting the movement of culprits responsible for tiger deaths. Smelling the footprints and strap ribbon of packing box found at tiger carcass location, the sniffer dog moved towards the houses of accused and returned to the starting point.

- At around 12 noon, another team comprising of forest staff, veterinary doctors reached the nalah where tiger carcass was detected the other day and also exhumed the buried tiger carcass (**Tiger - 2**). The postmortem was conducted by Dr Loveleen Vaz ,Bondla zoo veterinary officer and Dr Harsh. PCCF, CWLW, Goa and DCF (Wildlife) were present during the postmortem examination.
- According to doctors, the carcass was that of tiger and approximate age may be 3-4 years and all body parts were found to be intact. The veterinary doctors collected samples from lung, liver, intestine, spleen, kidney, bone marrow, skin with fur from the tiger carcass for further forensic/ toxicological analysis and the carcass was disposed by burning after postmortem examination.
- Meanwhile, continued combing activities had unearthed another tiger carcass (**Tiger - 3)** approximately 60-65 meters upstream from the location of Tiger - 2. The tiger carcass was found in a sitting posture below a tree close to the water stream. Area surrounding the carcass location was searched for presence of other evidences. The stomach portion of the carcass was completely decomposed and maggots were found. The veterinary doctors (Dr Loveleen Vaz, Bondla zoo veterinary officer and Dr Harsh) conducted postmortem examination and samples of molar teeth, canines, skin with fur and fur muscles were collected for forensic examination. Due to advance stage of putrefaction, visceral samples could not be collected for toxicological analysis. After completing postmortem examination, the carcass was disposed by burning in presence of forest officials.
- Based on the circumstantial evidence and available information, the accused Vitho Pawane, Malo Pawane and Bomo Pawane were arrested and produced before the JMFC, Valpoi Court and the accused were given two days of forest custody. Late in the evening of 8th January, the combing team came across another spot where the surface soil was disturbed and pieces of tiger fur, stone and tree barks were present on the soil surface. This spot was not very far from the location where Tiger -2 carcass was recovered earlier. The team suspected that the pit may be having the carcass of another tiger (Tiger - 4). As it was dark, the exhuming activity was postponed to the next day.
- On 9th January, one of the accused Vitho Pawane confessed before IO that he along with others had buried two tiger carcasses in the perennial nalah close to their house and agreed to show the burial places. Subsequently, another accused Malo Pawane also confessed that he had used ‘Butox’ and rat poison for poisoning the carcass of buffalo cow which was killed by the tiger on 30th December. He also agreed to show the site where buffalo carcass was poisoned by him. The statements of accused were recorded by IO in presence of independent witnesses (panchas). During statement recording, it was revealed that Jyotibha Pawane, son of Malo Pawane, also assisted the other accused in committing the crime and accordingly Jyotibha Pawane was arrested later on the same day.

- The accused Vitho Pawane and Malo Pawane were then the IO took them to the incident sites at Dhangarwada and Vitho Pawane, showed the site where they had buried the Tiger 2 and Tiger 4. The site of Tiger 2 burial was very close but downstream to the site where the carcass of Tiger 3 was recovered. The accused also demonstrated how they had used climbers & sticks for lifting the carcass of Tiger 4 for burial in a pit.
- Thereafter, the carcass of Tiger 4 was exhumed in presence of accused and the scene of crime was cordoned off for gathering other evidences present. The GPS readings of location were noted and the postmortem was conducted as per the SOP of NTCA. There were no external injuries on the carcass like gunshot wound etc and all the body parts like claws, molars, pre-molas were found intact. The visceral samples like heart, kidney, liver etc were collected for further forensic/ toxicological analysis. After the postmortem examination, the carcass was disposed by burning in presence of DCF, Wildlife and Ecotourism (North).
- After postmortem of Tiger – 4, the accused (Vitho Pawane and Malo Pawane) took the investigating team to a place where they had buried the poisoned buffalo cow. The pit was opened and as suggested by veterinary doctors, samples of poisoned buffalo carcass like skin, stomach content were collected. As per statement of accused, Malo Pawane the cow buffalo carcass was poisoned with 'Butox' and rat poison (mostly zinc phosphide formulation available in the local market).
- On 10th January, the medical examination of all the accused was done and a;; the accused were produced before JMFC. After hearing the arguments of public prosecutor, the JMFC granted the remand of all accused up to 17th January to the Forest Department. In the follow up interrogation of Bomo Pawane and Jyotibha Pawane informed the IO that one more person by name Biro Pawane, son of Vitho Pawane was also involved in commiting the crime and he was arrested late in the evening. Accused Biro Pawane was produced before the JMFC on 11th January and he was also remanded to Forest Department custody till 17th January.
- From 10th to 17th January, the accused were taken to scene of crimes and tools used in committing the crime like spade, pick axe, billhook, torch, empty bottle of ‘Butox’ chemical were recovered and seized by the IO.
- Subsequently on 17th January, the JMFC had released all the accused on conditional bail but the IO continued investigation for recovering claws missing from the carcass of Tiger – 1. Based on the suspicion, the IO had summoned suspects for further enquiry but on 20th January, the IO received information that a package containing tiger claws has been found in a temple premise in Golauli village, not very from tiger carcass locations. Presence of a plastic bag within the premise of the temple was informed by the temple priest to the forest department staff who in turn informed to IO. The sniffer dogs from Police

Department were called in but not much progress could be made in identifying the culprits. The IO has seized all the 14 claws and further investigation is on for apprehending the culprits.

## OBSERVATIONS

1. The first tiger death was reported by villagers of Golauli who had gone inside the sanctuary for offering prayers for the folk deity. If not for these villagers, probably the death of first tiger (Tiger 1) would not have been known.

2. Based on the confession statements of accused, circumstantial evidence and materials seized so far it is suspected that the death of all the four tigers might have happened due to consumption of poisoned meat from buffalo carcass. Further, it is also suspected that the buffalo carcass was poisoned by the accused for taking revenge against the loss of milching buffalo cow.

3. As soon as the information about death of tigers was received, the IGF, NTCA, Regional office, Bengaluru contacted the APCCF & CWLW, Goa and briefed him about the Standard Operating Procedures (SOP) for dealing with death of tiger and disposal of tiger carcass issued by NTCA and requested for compliance of SOPs. He also briefed ADG (Project Tiger) & Member Secretary, NTCA about the tiger deaths and requested for constituting a team for stocktaking the field situation in Mhadei WLS.

4. After the recovery of first tiger carcass, the Investigating Officer (IO) was appointed by the wildlife warden and both IO and his team have done a good investigation job by arresting all the individuals allegedly involved in poisoning the buffalo carcass and also recovered tools used for committing alleged crime. The IO needs to ensure that the final offence report should be filed within specified time limt.

5. The unfortunate death of four tigers has also revealed that not all is well with the management of Mhadei Wildlife Sanctuary. According to wildlife activists who prefer to be anonymous, presence of tigers inside Mhadei WLS is a well known and documented fact which is reluctantly accepted by the Goa Forest Department. They allege that over the years, the Forest Department has not taken any serious and sincere steps for protection and conservation of tigers.

6. The team during the field visit observed that there exists no proper protection mechanism inside the sanctuary like network of well connected Anti-Poaching Camps (APC) at strategic locations manned by Forest Guard/ Watchers round the clock and year which is a very common feature of well managed PA / Tiger Reserve. As per the information

provided to the team, there are only four camps at Codal, Nagargoa, Valpoi and Caranzol (**Figure 3)** for a sanctuary spread over an area of more than 200 sq km!

7. In absence of any organized APC network and regular patrolling, it is very difficult to know what exactly is happening to the flora and fauna of this otherwise biodiversity rich sanctuary of the western ghat. It is highly possible that tigers, their prey base and other flora, fauna might be subjected to varying degrees of poaching pressure but there is no way to know unless a good protection and information network is put in place.

8. One of the nearest forest establishment to the incident site was office cum residence of round forester, Thane under Range Valpoi which is under the control of territorial division. Going by the condition of the building and dilapidated staff quarters at Thane, it appears that hardly any field staff stays in these department quarters (Plate 12).

9. The wireless communication network, a basic and an important requirement for exchanging information inside a PA was found to be lacking in the sanctuary. For example, there is wireless room at Valpoi but without any wireless equipment in it! Similarly, at the Range office at Maloli, a defunct wireless base station set sits on a table in a corner. By virtue of its location in the northeastern part of the state, there is hardly any mobile telephone connectivity inside the sanctuary and without any functional wireless network in place timely exchange of information becomes very difficult.

10. A management plan for PA is a very important document wherein the the conservation goals and objectives are formulated, assessment of threats and opportunities are carried and management strategies are prescribed for protecting the conservation values of the PA while keeping in mind the broader objective of biodiversity conservation. Unfortunately even after more than two decade of declaring Mhadei as Wildlife Sanctuary, it is managed on completely ad-hoc basis as there exists no management plan for such an important sanctuary of Western Ghat. It gives an impression that wildlife management appears to be a subject which is of least priority for the Goa Forest Department.

11. While visiting the tiger carcass locations inside the sanctuary, near Dhangarwadi the team came across a patch of forest whose undergrowth was cleared by somebody probably for establishing cashew nut plantation. When the team asked the DCF about undergrowth clearing, he had no idea about who had cleared the land and whether it was inside the sanctuary or outside. Though Working Plan division has prepared the GIS shape file of the sanctuary but it appears that no systematic and sincere efforts have been made on the ground for delineating the boundary of the sanctuary (please see plate 15).

12. According to news reports, villagers (particularly from Dhangar- Gouly community) allege that there have been several instances of cattle depredation by the tigers/ leopards in the past but hardly any compensation was given by the Forest Department officials or

action is taken. There appears to be some truth in these allegations because when the team had asked sanctuary officials to furnish the details of livestock depredation of last 3 years, the officials replied that there were no incidents of livestock depredation.

13. Representatives of local Dhangar community (to which accused belong) also allege that neither the Forest Department nor other government departments have not conducted any awareness about human-wildlife conflicts and government compensation scheme. These allegations gain credence considering the behavior of certain forest officials like Vilas Gawas, RFO, Mhadei Wildlife Sanctuary during team's field visit. Despite the fact that all the four tigers had died within jurisdiction of sanctuary area controlled by Mr Gawas, he didn't even bother to meet us let alone share any information or accompany the team during the field visit. The unusual behaviour of RFO, is also indicative of the way such officials and his subordinate field staff may be treating the local communities living inside or periphery of the sanctuary.

14. Though the State Government has put in place a mechanism to compensate people for loss suffered on account of wild animals, the local communities feel that the procedure is very cumbersome. In 2012, the Government of Goa had revised the scheme for grant of compensation on account of loss of life, permanent disability or injury and / or damage to cattle or property caused by wild animals. In case of human beings, for loss of life - Rs 2 lakh, for permanent disability - Rs 1 lakh, in case of injury – Rs 50,000. For death of cattle, a maximum of Rs 16,000 and for injury to cattle Rs 5,000 will be given based on the assessment of Damage Assessment Committee (DAC).

15. The compensation process starts with the reporting by the applicant (affected individual) to the nearest Range Forest Officer (RFO) within 3 days of occurrence of incident. The RFO will then forward the application countersigned by Assistant Conservator of Forest (ACF) to his Deputy Conservator of Forests (DCF) along with the report. Thereafter, the assessment of loss / damage to the livestock and other property will be carried out by Damage Assessment Committee (DAC) consisting of ACF, Mamlatdar of taluka, Veterinary officer (in case of cattle) and Asst. Engineer, PWD (in case of house and other property) and RFO of respective range. The DAC shall enquire, investigate and recommend the amount of compensation payable to the owner of cattle / other property damaged by wild animals. The DAC is supposed to clear the case within 60 days from receiving damage report.

    The DAC will submit the case papers to another committee comprising of DCF (Territorial divisoin), DCF (Wildlife and Ecotourism Division), Sub-Divisional Magistrate/ Deputy Collector or his representative and ACF. This committee has been given 30 days from the date of receipt of case papers from DAC. Finally the payment will be made by the office of DCF concerned. Therefore, if a villager living inside the

sanctuary loses his cattle to depredation by tiger/ leopard, he may have to wait for a minimum of 90-100 days to receive the compensation. Given the procedural requirement, it is quite possible that very few people may be willing to file claims for compensation for the losses suffered by them due to wild animals.

16. With respect to monitoring initiatives taken so far, it appears that no systematic efforts have been made so far by the Forest Department for estimating the tiger population size of the sanctuary using camera trap based monitoring protocols. As part of recently concluded All India Tiger Estimation (AITE)– 2018, the Goa Forest Department had carried out sign survey activities (phase I) in the month of May, 2018 and the summary report 'Status of Tigers in India – 2018' released last year by Hon'ble Prime Minister of India, puts the tiger population size of Goa at '3' individuals. Considering the fact that only opportunistic camera trapping was done by the Forest Department inside the sanctuary without following a properly designed survey protocol, it is highly possible that the projected tiger population size of Goa may be an understatement.

17. The Protected Areas of Goa (Mhadei WLS and Mollem WLS) are part of Western Ghat landscape complex which has the unique distinction of having world's largest tiger population. This landscape has the several interconnected tiger reserves and protected areas along with Reserve Forests such as Nagarhole-Bandipur-Mudumalai- Wayanad-BRT- Sathyamangalam (**Figure 4**). The Parambikulam-Anamalai complex, Periyar-KMTR population and Bhadra-Kudremukh populations are other important populations.

18. According to Status of Tigers in India, 2014 report, Goa has a persistent tiger presence with a conservative estimate of 3-5 tigers but possess high potential to serve as home for breeding tigers. Within the Western Ghat landscape complex, Goa along with the Northern Karnataka region has the potential to increase overall tiger population numbers by providing targeted management inputs to the PA s of the region. The said report recommended that the Protected Areas of Goa along with protected forests of Karnataka should be brought under Tiger Reserve network at the earliest for facilitating tiger recovery and for conserving the rich biodiversity of this biodiversity hot-spot which will also enhance the value of Western Ghats as a World Heritage Site.

19. The Protected Areas of Goa like Mhadei Wildlife Sanctuary assume even more significance by virtue of their location within the western ghat landscape. In the NTCA-WII report “Connecting Tiger Populations for long-term conservation”, it is mentioned that Western Ghats landscape has the potential to have contiguous tiger occupancy from Dang forests in Gujarat up to the Palakkad gap in Kerala and compared to other tiger landscapes of India such as Central India and Shivalik-Gangetic Plains, tiger populations of Western Ghats are better connected with each other due to conducive habitat matrix for tiger occupancy. The narrow forest connectivity of Western Ghat ridge between Goa and

Maharashtra also plays an important role in facilitating contiguous tiger occupancy within this landscape. However, factors like plantations, agriculture, industrial and infrastructure development activities like widening of road and railway lines are threatening the existing habitat connectivity in Western Ghats.

20. The latest proof regarding connectivity of tiger populations in Western ghat is that of a tiger photocapture obtained on 11th January, 2020 in a camera trap installed at Derodem, Goa after the tiger had killed a cow of a farmer. Upon comparison of the tiger picture obtained at Derodem with that of the tiger photo-database of Tiger cell, Karnataka Forest Department, it was observed that the image was that of 6-7 year male tiger from neighbouring Kali Tiger Reserve. The said tiger was first captured in Kali Tiger Reserve in 2016. Without up-grading the legal status of Goa's Protected Areas to that of tiger reserve and putting in place a strong protection regime in place, the state may become death trap for tigers dispersing in this landscape.

21. The issue of declaring Mhadei Wildlife Sanctuary as a 'Tiger Reserve' is a long pending one with central government initiating steps way back in the year 2012 by requesting the Goa state for submission of proposal. As per the news reports, on 12th October, 2016, the Goa State Board for Wildlife had a serious discussion on the issue of bringing all the protected areas of state into tiger reserve network.

22. In a recent study conducted by Verma *et al* 2017, an attempt was made to estimate the economic valuation of tiger reserves for various ecosystem services such as employment generation, agriculture, fishing, fuelwood, fodder / grazing, timber, Non Wood Forest Produce (NWFP), gene pool protection, carbon storage, water provisioning, water purification, recreation, research & education, waste assimilation etc. For this study, the selected tiger reserves were Corbett, Kanha, Kaziranga, Periyar, Ranthambore and Sundarbans. The findings indicate that the annual flow of benefits derived from tiger reserves range from 128 million to 271 million USD. Contrary to the claims of certain vested interests that declaration of tiger reserves will stall the development of the state, this economic evaluation study by NTCA and Indian Institute of Forest Management (IIFM) clearly establishes that tiger reserves make significant contribution to the state economy by providing various ecosystem services.

23. In view of the significant gains contributed by tiger reserves, it is probably right time for the State of Goa to take forward the State Board for Wildlife decision and submit proposals for declaration of not just for Mhadei Wildlife Sanctuary but also Bhagwan Mahavir National Park, Bhagwan Mahavir Wildlife Sanctuary, Cotigao Wildlife Sanctuary and Netravali Wildlife Sanctuary as Tiger Reserves. This move will not only secure the habitat for mega carnivores and the associated floral & faunal diversity at the

state level but also contribute towards conservation of Western Ghats, a biodiversity hot-spot and a 'World Heritage Site'.

## RECOMMENDATIONS

In view of the circumstances leading to the unfortunate death of tigers and the prevailing conditions inside the sanctuary, the team recommends the following actionable points for consideration.

1) **Declaration of Mhadei Wildlife Sanctyary as Tiger Reserve**: In view of the unfortunate death of tigers, the state government may take immediate steps for enhancing the legal status of 'Mhadei Wildlife Sanctuary' to that of a tiger reserve. Declaring the sanctuary as Tiger Reserve will provide much needed access to technical, financial and monitoring support from NTCA for safeguarding the conservation values of the sanctuary. It will also empower the local communities residing inside the sanctuary by giving access to development opportunities as they will be able to utilize the voluntary resettlement scheme for joining the mainstream society. Further, after conducting a scientific assessment of remaining protected areas of the state by Wildlife Institute of India, the state government may consider bringing the potential tiger habitat of Goa within tiger reserve network of Western Ghats.
2) **Setting up of Anti-poaching Camps**: While the process of tiger reserve declaration is on Anti-Poaching Camps should be set up at strategic locations inside all protected areas of Goa and and intensive patrolling regime should be put in place under the direct supervision of CWLW, Goa.
3) **Delineation of sanctuary boundary**: Steps may be taken to for delineation of sanctuary boundary using technological Settlement of right of villagers residing inside WLS.
4) **Systematic survey of sanctuary** for estimating the extent of encroachment, if any, and the change in land-cover since the declaration of sanctuary may be undertaken.
5) **Constituting State level Task Force**: The State Government may consider setting up a committee under the chairmanship of Chief Secretary for conducting detailed inquiry into the management of Protected Areas of Goa and also that of Wildlife Wing for identifying strengths, weaknesses and to suggest organizational changes for better management of protected areas of the state.
6) **Deployment of M-STrIPES**: At present there exists to mechanism to monitor the patrolling activities performed by the field staff in their respective beat/ round areas. Therefore, it is suggested that for proper documentation of patrolling activities, the Monitoring System for Tigers Intensive Patrolling and Ecological Status (M-STrIPES) developed by NTCA – WII may be deployed in all protected areas and territorial forest

divisions. The technical and financial support for M-STrIPES deployment may be provided by NTCA.

7) **Developing informer network**: The department may take steps for developing a network of informers for gathering information on illegal activities and individuals involved in such activities.
8) **Setting up of wireless network**: For enhancing the effectiveness of protection system of PA a communication network is very crucial. The department should set up wireless towers, repeater stations, base stations in all protected areas and procure sufficient number of hand held wireless handsets for use by field staff.
9) **Appointment of dedicated Forest Settlement Officer**: According to senior officials of the department, the rights of large number of villagers residing inside the sanctuary have not been settled due to lack of dedicated 'Forest Settlement Officer' (FSO). In view of this, the State Government may appointment a full time FSO so that the rights of individuals residing inside the WLS may be settled at the earliest.
10) **Capacity Building:** The department in association with Wildlife Crime Control Bureau (WCCB), NTCA, WII may organize training programs on subjects like wildlife crime investigation, intelligence gathering, monitoring tigers and prey base, anti-poaching operations at regular intervals. Workshops on forest and wildlife laws may also be organized by involving district level judicial authorities. Exposure visits of forest officials and field staff of PA to better managed PA and Tiger Reserves may also be arranged by the Forest Department. NTCA may conduct vertical training program exclusively for Goa Forest Department covering topics such as SOPs, protection, M-STrIPES and wildlife monitoring.
11) **Awareness campaigns:** The Forest Department has to initiate extensive campaigns for sensitizing the local communities and for creating awareness on various conservation issues such as importance of protecting forest & wildlife, necessity of protected areas, legal provisions related to illegal activities like hunting/ poaching.
12) **Simplifying compensation payment mechanism:** The current compensation mechanism consists of four tier system with RFO at field level reporting followed by Damage Assessment Committee, another committee for finalizing the compensation payment and finally office of DCF concerned will make payment to affected individual. In the gazette notification itself a provision for 90 days has been made for settling the claims. A poor farmer/ villager who has lost his milch cow cannot be expected to make multiple rounds to various government offices and wait for a minimum of 90 days to get compensation. The existing compensation payment system needs to be further simplified so that payment is made within a month or so. This is doable since there are many technological tools available for collection and processing of conflict related information.

13) **Preparation of Management plan:** The management plan for the sanctuary should be prepared expeditiously within a time frame of 3 months. The department may take the technical assistance from WII and NTCA for management plan preparation.

14) **Shifting headquarter of Wildlife Division**: Considering the location of Mhadei Wildlife Sanctuary and other Protected Areas of Goa, the headquarter of DCF, Wildlife & Ecotourism (North) from Panaji to Valpoi or other suitable places nearer to the sanctuary/ PA for better supervision and management.

15) **Posting young, energetic and trained forest officers for the sanctuary**: The current sad state of affairs in Mhadei WLS appears to be the result of apathy and inaction of officials at DCF and RFO level and they needs to be transferred out after inquiring into the lapses. In their place, there is an urgent need to post wildlife trained, young and energetic forest officials for improving the overall protection status of the sanctuary. A transparent transfer and posting policy for wildlife areas may also be formulated by the state government.

16) **State level monitoring of tigers:** A full fledged camera trap based study needs to be undertaken preferably by Wildlife Institute of India, Dehradun and the financial assistance for the monitoring program by NTCA.

17) **Planning voluntary village relocation**: For providing better opportunities in terms of education, employment and health care facilities to local communities residing deep inside the sanctuary, steps may be initiated for voluntary rehabilitation of families.

18) For regular supervision, better monitoring and for providing technical support to tiger bearing forests/ PA s, the state may be formally included within the jurisdiction of NTCA, Regional office (Southern zone), Bengaluru.

Submitted on behalf of the team

(Rajendra G Garawad)
Assistant Inspector General of Forests
NTCA, Regional office, Bengaluru.

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Annexure 20 colly O/C

GOA FOUNDATION
G-8, St Britto's Apartments, Feira Alta, Mapusa 403507 Goa, INDIA
Tel: +91-(0)832-2256479; 2263305 (also fax)
E-mail: goafoundation@gmail.com Website: www.goafoundation.org

12.02.2020

To:
Shri Pramod Sawant,
Chief Minister of Goa,
Secretariat, Porvorim, Goa.

**Sub: Notification of Tiger Reserve in Goa**

Sir,

We are writing to you in light of the tragic deaths of 4 tigers in Goa in January, 2020 – to request the Goa Government to notify a tiger reserve in the state for better protection and management of this species and its habitat. The killing of 4 tigers (whose value cannot be computed in money terms) is simply unprecedented and has damaged the reputation of the Goa authorities concerned in the country as a whole. You need to take drastic action, hence this demand for justice.

The notification of a tiger reserve in Goa has strongly – and repeatedly – been recommended to the State Government by the National Tiger Conservation Authority – first in 2012, and then again in February, 2020, by the 2 member committee constituted by the NTCA to inquire into the recent tiger deaths in the Mhadei Wildlife Sanctuary (report enclosed).

OFFICE OF THE CHIEF MINISTER
12.2.20
SECRETARIAT, PORVORIM

The NTCA report states that without up-grading the legal status of Goa's Protected Areas to that of tiger reserve and putting in place a strong protection regime in place, the state may become a "death trap" for tigers dispersing in this landscape. Declaring the sanctuary as a tiger reserve will provide the much needed access to technical, financial and monitoring support from the NTCA – which are desperately needed as evidenced by the report.

The Protected Areas of Goa (Mhadei WLS and Mollem WLS) are part of the Western Ghat landscape complex which has the unique distinction of having the world's largest tiger population. This landscape has several interconnected tiger reserves and protected areas along with Reserve Forests.

The NTCA Report states that it is the right time for the State of Goa to take forward the State Board for Wildlife's decision to create a core zone for the Tiger Reserve which encompasses all four wild life sanctuaries and National Park and to submit proposals for the same. As CM, you are also the chairperson of the State Board. We are aware that the issue of declaring tiger reserves in the State was last discussed at the meeting of the Goa State Wildlife Board on 16.12.2017 wherein the minutes record that a proposed Tiger Reserve map was prepared. At the time, the chairperson sought a study on the socio economic impact on locals residing in the fringe areas. The State Board had a subsequent meeting on 02.12.2019. However, the issue of the tiger reserve was not discussed at all. No further steps have been taken in this regard, as far as the knowledge of this organization goes.

The move to establish a Tiger Reserve by law will not only secure the habitat for mega carnivores and the associated floral & faunal diversity at the state level but also contribute towards conservation of the Western Ghats, a biodiversity hotspot and a "World Natural Heritage Site."

The NTCA report also makes a number of observations and recommendations in view of the severe deficiencies noted in connection with the management of the existing protected area including lack of monitoring, which should be acted upon urgently.

While we lament the irreversible loss of the 4 tigers in Goa, it is high time that requisite action – as recommended now by the NTCA – is taken to protect the remaining tigers and their habitat.

We request you to treat this matter with the urgency it deserves to ensure a safe and secure habitat for tigers and other wildlife to thrive within the protected areas of Goa and the contiguous wildlife habitats within the Western Ghats.

Faithfully,

Dr. Claude Alvares
Director, Goa Foundation

GOA FOUNDATION

G-8, St Britto's Apartments, Feira Alta, Mapusa 403507 Goa, INDIA
Tel: +91-(0)832-2256479; 2263305 (also fax)
E-mail: goafoundation@gmail.com Website: www.goafoundation.org

13.02.2020

To:
Secretary, Forests
Government of Goa
Secretariat, Porvorim, Goa

RECEIVED
Government of Goa
Secretariat, Porvorim Goa
13/02/2020

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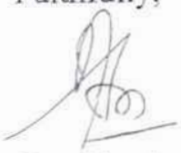

Dr. Claude Alvares
Director, Goa Foundation

O/C

108 20

GOA FOUNDATION

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Tel: +91-(0)832-2256479; 2263305 (also fax)
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17.02.2020

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Secretary, Forests
Government of Goa
Secretariat, Porvorim, Goa

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Adkaylekar
17/02/2020
Office of the
Pr. Chief Conservator of
Forests, Panaji

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Faithfully,

Dr. Claude Alvares
Director, Goa Foundation

CC: Principal Chief Conservator of Forests (PCCF/CWW)
Swami Vivekanand Road, Panaji

**ANNEXURE 21**
**[EXTRACT]**

# CENTRAL EMPOWERED COMMITTEE

## REPORT No. 6 of 2021

## IN

## APPLICATION NO. 1440

## IN

## W.P. (C) No. 202 of 1995

(Volume I)

Filed by:-

GOA FOUNDATION

Dated: 23rd April 2021

during 2020-21 was 2220 rakes and is projected at 2000 rakes during 2030-31. Most of the projected goods traffic between Karnataka and Goa continues to be empty rakes. A copy of the letter dated 07/08-04-2021 from South Western Railway is enclosed as **ANNEXURE R- 5** to this Report.

**OBSERVATIONS OF NATIONAL TIGER CONSERVATION AUTHORITY (NTCA) UNDER SECTION 38 (O) OF WILD LIFE (PROTECTION) ACT, 1972**

21. The NTCA has prepared a site appraisal report regarding diversion of 10.45 ha (9.57 ha. in Dandeli Wildlife Sanctuary (DWS) and 0.88 ha in Haliyal Division) for doubling the railway track between Tinaighat-Castlerock-Caranzol falling in Kali Tiger Reserve (KTR). This Tiger Reserve comprises of two important protected areas of the region namely Dandeli Wildlife Sanctuary (DWS) and Anshi National Park (ANP) which are contiguous to one another. The area of KTR is 1101.51 sq km and is bounded by protected areas of Bhimgad Wildlife Sanctuary (BWS), Bhagawan Mahaveer Wildlife Sanctuary (BMWS) and Molem National Park (MNP) and wildlife rich regions of Supa backwaters and forests of Tinaighat Range of Haliyal Division. The forest area of Castlerock Range holds a sizeable population of tigers (25 in 2020) and doubling of the

railway track is to be undertaken through this range. It is also an important Tiger Corridor in Central Western Ghats connecting the tiger habitats in Karnataka, Goa and Southern Maharashtra. The Camera Trap records show that tigers from Bhadra Tiger Reserve and Kali Tiger Reserve (KTR) and Sahyadri Tiger Reserve (STR) use this corridor actively for dispersal.

22. Kulem in Goa is located at 69 meter above MSL (Mean Sea Level) whereas Castlerock is at an elevation of 580 meter above MSL which is located at a distance of about 26 kms from Kulem. This difference in elevation explains the steep gradient of 1:37 of the existing single line railway track between Kulem and Castlerock.

23. NTCA has observed that the Final Railway Alignment Report acknowledges that topography with high hills and steep gorges has been a major problem for construction of as many as 81 bridges and 20 tunnels. This Report also mentions that for undertaking construction activities of this scale required clearly marked area for dumping materials, parking of equipment and camping. The proposed project area is inaccessible with road available only at Castlerock and Kulem. The three intermediate railway stations at Caranzol,

Dudhsagar and Sonalim can be approached only through trains with no approach roads. Consequently, transportation of men, material and equipment to the project site is a bigger challenge than the topography. The Final Railway Alignment Report also lists out the following specific and unique constraints in terms of this project :

(a) **Long rainy season**: In the project area, the rainy season lasts from July to November leaving only 7 working months from December to June. Therefore the estimated 48 months (4 years) of the project period as given in the project documents will spread over to a period of about seven years.

(b) **Disposal of excavated earth from cutting and tunnel construction**: The existing track has steep hills on the left side and deep gorges/valley to the right side. With the proposed track being aligned to the left of existing track there will be an earth work to the tune of 17.59 lakh cubic meter from excavation and tunneling where as the filling would be 9.49 lakh cubit meter. Out of 17.59 lakh cubic meter an estimated 4.8 lakh cubic meter will be used

for filling purpose and the remaining 13 lakh cubic meter will be transported out of Castlerock-Kulem section.

(c) **Need for special measures**: Because of topographical and access related problems, special measures are required to be taken during construction. Though tunnels are of shorter lengths yet construction cannot be accomplished easily. Special techniques and improvisation of methods is required for construction of bridges over deep gorges which poses huge challenges. Even the minor bridge construction would involve transportation of precast boxes to the site.

**TIGER DISTRIBUTION, DISPERSAL AND CONNECTIVITY RELATED OBSERVATIONS**

24. The last four cycles of All India Tiger Estimation (AITE) exercise conducted from 2006-2018 and the tiger corridor atlas created by Wildlife Institute of India point to the fact that from 2006, the tiger occupancy in the region has expanded from Dandeli Wildlife Sanctuary (DWS) to Bhagwan Mahaveer Wildlife Sanctuary (BMWS) / Mollem National Park (MNP) and

forests of Ponda and Sanguem tehsils. The proposed project is located within the important tiger landscape 'Anshi-Dandeli-Sharavathi Valley population' comprising protected areas of Mollem-Netravati-Anshi-Dandeli, Sharavati Valley - Mookambika along with Reserved Forests of Haliyal and Yelapur. This complex has connections in the North with the forests of Goa and upto Sahyadri Tiger Reserve (STR) in Maharashtra. In the South this has connections with the Kudremukh-Bhadra complex. This connectivity about the movement of tigers between these complexes has been established through camera trap based evidence. The recently concluded phase 4 tiger monitoring exercise of Kali Tiger Reserve (KTR) has confirmed the movement of tigers between Anshi-Dandeli and Sahyadri Tiger Reserve. A total of 25 tigers (male 10, female 12 and unidentified 3) have been photo captured in KTR during 2020. A noteworthy finding of conservation significance is photo capturing of a tiger in Castle rock range which was earlier camera trapped in Sahyadri Tiger Reserve (STR) in Maharashtra.

25. Apex predators like tigers exist at low densities and require extensive forest areas for survival. Factors like habitat destruction, habitat fragmentation, isolation and poaching of prey base can push small population of tigers towards

extinction. This would require managing smaller populations in meta population framework while ensuring habitat connectivity between different populations so that there exists ample opportunity for individuals of populations for dispersal, establishing territory and reproduction.

**FEASIBILITY OF MITIGATION MEASURES**

26. A direct impact of the railways on wildlife is death of wild animals due to collision with the trains. Research studies highlight that wildlife mortality caused by trains can have impact on mammalian populations which are endangered having larger home ranges and that occur in fairly low density levels and those with low reproductive rate. Wherever the rail line bisect the habitats or migration routes of endangered mammals the mortality is found to be the highest. The victims of train collision are diverse with different body sizes from amphibians, reptiles, carnivores, ungulates to mega herbivores like elephants.

27. The existing single track railway line between Hubballi to Vasco (which includes proposed track doubling area also) has

in the recent years been responsible for death of several large mammals and carnivores not just in the Protected Area but also in the territorial forest areas. Plotting of wildlife death incidents due to train collisions shows that wild animals routinely get killed by trains both inside the protected areas like Dandeli Wildlife Sanctuary and also in the wildlife rich adjoining reserved forests of Haliyal forest division. With the proposed doubling of existing railway track and subsequent electrification of the line, it is feared that the wildlife mortality and habitat fragmentation may increase by many folds.

28. The tough terrain of the project area with steep mountain on one side and deep valley on the other side of the existing railway track makes the task of selecting conventional mitigation structures/measures challenging.

29. Commenting on the "Biodiversity and Environmental Assessment of proposed doubling of railway track between Kulem and Castlerock in Goa-Karnataka" Report (prepared by Indian Institute of Science Bangalore), NTCA has stated that this report lacks in critical assessment particularly of project impacts and merely reiterates project proponents views. In fact recommendations and mitigation measures are fairly

generic in nature and have been prescribed without taking into account the ground realties. Certain suggestions like joint patrolling of forest and railway staff in critical areas for monitoring wildlife presence and seeking information about animal movement from local people (in an area where there are hardly any human settlements near railway tracks) are impractical and theoretical in nature.

30. NTCA has suggested that it would be appropriate to have an independent and detailed assessment of the cumulative impact of the project for the entire stretch from Tinaighat to Kulem an extent of about 170 plus hectare of eco class 1 Western Ghats forest land which includes forest land and land available with Railways. The Western Ghats have lost about 33000 sq km (30-40%) of its forest cover in the last 100 years and a significant proportion of this forest loss has resulted from linear intrusions like power transmission lines, highways and from construction of dams.

31. The vegetation cover of the land under the control of South Western Railways beyond the railway track and embankment is very much similar to the forest land of the sanctuary in terms of species composition and biodiversity values. For Castlerock-Kulem section, 113.857 ha is proposed

for diversion and this area also appears beyond the area under Railways. Along the existing single line alignment there have been instances of landslides. As the proposed project involves significant amount of cutting and filling in the steep terrain, landslides may become frequent all along the project area.

32. The only justification given by the user agency for this rail doubling project is due to industrial growth in Karnataka and growth of tourism and that the existing single railway line capacity is saturated. But there are no material facts and figures to support the claim of growth of industry and tourism and saturation of the existing single line.

33. While concluding NTCA has recommended –

a) The railway doubling project from Tinaighat-Castlerock-Caranzol and Castlerock-Kulem be considered in toto as a single project and the cumulative biodiversity and environmental impacts of the project be assessed critically factoring in the economic viability and short and long term benefit to the region.

b) A detailed study on the feasibility of mitigation measures in the difficult terrain may be conducted by

involving Wildlife Institute of India, Dehradun. The study may cover the entire 25 km stretch of the project area from Castlerock in Karnataka to Kulem in Goa.

c) Considering the routine death of wild animals particularly of large herbivores like Indian Gaur, Indian Elephant due to train collisions in the territorial areas of Haliyal and Belgaum forests the study of WII need to address the impact on wildlife in this connected landscape and prescribe suitable mitigation measures over the entire stretch of the line through this wildlife rich forests of the Western Ghats.

d) Given the potential of this project to damage the integrity of the last remaining wilderness of Western Ghats it may not be taken in isolation from the widening of NH-4A that is being executed within 5-6 kms north of this project site with the same professed goal of quick, increased capacity for movement of men and material and development. The NH-4A widening project is in advanced stages of completion in certain stretches and about to start in certain stretches. It would be in the interest of sustainable development that a cumulative cost benefit analysis of these two projects may be commissioned. Such studies will facilitate economic development of the

region while considering the ecological environmental and economic concerns. A copy of the Site Appraisal Report of NTCA is enclosed as **ANNEXURE R-6** to this Report.

**OBSERVATIONS AND RECOMMENDATIONS**

34. i) The BMWLS, notified in 1967, covers an area of 240 sq kms within the Dharbandora and Sanguem taluks in Goa and is a part of the contiguous PA network in Goa. In 1978 a part of the sanctuary measuring around 107 sq km was notified as the Mollem National Park. The BMWLS and NP is contiguous with the Kali Tiger Reserve and Anshi Dandeli Wildlife Sanctuary in Karnataka forming part of an important tiger corridor and contiguous wildlife habitat system within the Western Ghats. The rich and diverse flora and fauna highlight the ecological importance of the PA which serves as a host for numerous endemic species including among others mammals, reptiles and birds and is also the source of origin of numerous rivers and rivulets.

ii) The area of forests involved in doubling of rail line between Tinaighat and Vasco in the State of Karnataka

is 10.45 Ha and in the State of Goa is 138.0916 Ha (136.4827 Government forests plus 1.6089 private forests). The forest land has thick vegetation with canopy density ranging between 0.60 to 0.80. Felling more than 12000 trees will create edge effect by altering plant community and erode plant diversity at site. The gap will promote weeds and exotic species that outcompete native plants and alter animals use of habitat. A Statement giving the details of forest area involved in the States of Goa and Karnataka is enclosed as **ANNEXURE R-7** to this Report.

iii) The actual loss of Wildlife Habitat will be much larger than what has been projected in the proposal for Forest and Wildlife Clearance because these proposals have not taken into account for the forest land of similar ecological significance and which will actually be required for parking heavy machinery and the area required for road connectivity and for setting up of two stone crusher units as proposed by RVNL and for dumping of construction material;

iv) the construction of the second line is expected to generate 17,59,000 cubic metre of muck and the handling/disposal of the same will have serious

ecological consequences in a high rainfall project site during construction phase;

v) the widening of the right of way (ROW) and resultant increase in the number of trains on doubling of track and enhanced speed along level terrain within the Wildlife habitat will make animal crossing much more risky and dangerous;

vi) the territorial integrity of the largest network of the Protected area in the Western Ghats landscape is going to be permanently further dissected and will have serious consequences on the dispersal of long range Wildlife across the landscape;

vii) the cuttings of hills for laying the second line involving construction of 23 tunnels will accentuate further landslides in high rainfall areas like that of Western Ghats;

viii) the larger opened up canopy in closed canopy forest landscape with metals, steel rails and concrete slabs laid on the track will increase the ambient air temperature and alter the micro climate within the evergreen forest which will have irreversible consequences on species composition in the forest community and the quality of the Wildlife Habitat;

ix) larger opening in canopy in closed canopy forest landscape will result in discontinuity of habitat of arboreal animals which may now force them to descend down the trees to cross the rail line highly risking their life ;

x) increased numbers of trains carrying goods such as coal and ore associated with increased pollution of an ecologically fragile and biodiversity rich forest and which in turn will impair the species diversity in a stable forest landscapes one of the eight biodiversity hotspots of the world;

xi) the tough terrain of the project area with steep mountains on one side and deep valleys on the other side of the existing rail track make the proposed mitigation measures ineffective;

xii) permissibility of operation of the crusher units within the protected Area has not been considered;

xiii) part of the volume of cuttings and muck involved in this project is likely to enter the fresh water aquatic ecosystem of streams and rivers crossing the rail track during rainy season and seriously impair the aquatic ecosystem including aquatic flora and fauna; and

xiv) fresh clearings in the wet evergreen forests will give way for invasive species of weeds which out compete native plants, which will irreversibly alter the species composition of the entire bio diversity rich forest landscape.

35. The Standing Committee of National Board for Wildlife (SC NBWL) in its 56th meeting held on 17.12.2019 has recommended the railway line doubling project proposal in respect of the Goa portion but did not deem it necessary to obtain any specific recommendation on mitigation measures from the Wildlife Institute of India, Dehra Dun. However, later in its 59th meeting held on 5th October 2020, in respect of the same railway line doubling project proposal but falling in Karnataka portion between Tinaighat – Castlerock – Caronzol SC NBWL deemed it necessary to obtain specific recommendation of the Wildlife Institute of India with regard to the mitigation measures to be undertaken before making its recommendation. Since the Forest and Wildlife in the project area in both the States of Goa and Karnataka where the project is being implemented are identical and contiguous and form part of the same Western Ghat landscape and since the Wildlife in this landscape move freely without any reference to the State boundaries which divide their habitat, examination of

the proposals by the Standing Committee in piece meal and application of different standards for different stretches of the same wildlife habitat is not understood.

36. It is also observed that the Goa portion of the proposal was recommended in the 56th Meeting of the Standing Committee and in which meeting Dr. Sukumar of Indian Institute of Science and who is also Member, SC NBWL and who was involved in the preparation of the Biodiversity Environmental Assessment Report had participated whereas when the Karnataka portion of the project was considered by the SC NBWL in its 60th meeting held on 5.1.2021, Dr. Sukumar recused himself from the meeting of Standing Committee of National Board of Wildlife on the ground that he had conducted studies on Biodiversity Assessment in the Tinaighat area. A copy of the minutes of the 60th Meeting of SC NBWL held on 5.1.2021 is enclosed as **ANNEXURE R-8** to this Report.

37. The camera trap photographs captured on either side of the railway track and the recent reported killing of four tigers in Madaei Wildlife Sanctuary in the State of Goa goes to establish that the land scape through which the railway line passes is an important Tiger Corridor connecting the three

States of Goa, Karnataka and Maharashtra. In this context, it is important to note that the recommendation of the State Wildlife Board to declare BMWL as Tiger Reserve is still pending consideration of the State. In these circumstances SC NBWL is mandated to seek recommendations of NTCA under Section 38 (0) of Wild Life (Protection Act), 1972 before making any recommendations in respect of projects being implemented along the Tiger Corridors. Here it has to be noted that the SC NBWL has deemed it necessary to obtain the report of NTCA in respect of Karnataka part of the rail line doubling project but inexplicably has not deemed it necessary to obtain the recommendation of the NTCA in respect of rail line between Castlerock–Kulem passing through Goa State. It is also rather unusual for the SC NBWL to have examined the phase II of railway line doubling project from Tiniaghat in Karnataka to Vasco in Goa as two separate projects and in the process given its approval for Goa portion on 17th December, 2019 and for Karnataka portion only on 05.01.2021 after a period of more than one year. During this entire process they have by passed the guidelines issued by the MoEF&CC vide letter F.No. 6-10/2011WL dated 19/12/2012.

Few photographs taken during the site visit of CEC which are illustrative of the nature of the pristine ecosystem of the Western Ghats around Castlerock and some of the

representative photos collected from the government agencies and others showing the animals involved in accidents along the railway track are enclosed as **ANNEXURE-R-9 (Colly.)** to this Report.

38. RVNL in the submission made before the CEC stated that the final Notification of the National Park may exclude the railway land from its purview since no concurrence of the Central Government was taken before publishing the preliminary notification. In response it may be stated that the Wildlife recognises no such limitations of notification within their habitat. As such the railway track deep inside the forest and that too in an ecologically sensitive area is very much part of their habitat irrespective of whether included or excluded from the notification.

39. CEC during the site visit has visited the entire section passing through the Protected areas and observed that an over pass has been recommended by the Wildlife Institute, Dehradun at km23/450 where the railway line is passing on a 6 m high embankment. An overpass at this location is practically impossible.

40. The alignment of Tiniaghat – Vasco section of railway track passing through the Western Ghats was selected and constructed during the 1890's at a time when Goa was not connected by any other rail network to rest of India. Considering the terrain of Goa, construction of the coastal railway line in the 1890's was a huge technological challenge. In the present day context while planning for extensive nationwide network of rail lines any plan for doubling the existing most inefficient rail track between Castlerock and Kulem with a parallel equally inefficient track again with a steep 1:37 gradient along the existing alignment is not understood. We have earlier at Para 13 (vii) {a to g} of this Report seen all the serious drawbacks of the existing inefficient track that have been listed by RVNL. The specific details in this regard are not being spelt out here again to avoid repetition. As a matter of fact the doubling of the existing track between Castlerock and Kulem with all the severe restrictions and limitations of the existing track which the new doubling track will also face is not going to remove the bottleneck in the railway connectivity between Karnataka and Goa.

41. RVNL in their response with regard to the justification for doubling of line, have stated that the project through the Kulem-Castlerock section is not only for the transportation of

iron ore / coal but is also for the transportation of various other goods to and from Murmagoa Port apart from the long standing demand for passenger trains. The carriage of coal when compared to the past has declined from 12.27 million tonnes in 2015-2016 to 9.57 million tonnes in 2019-2020. RVNL, on examination of the alternative routes to different ports, has submitted the following table:

| S.No. | Location of Port | Distance from Bellary | Transportation charges per rake from Bellary | No. of rakes being dealt from Bellary |
|---|---|---|---|---|
| 1 | Vasco Port | 400 km | Rs. 38 lakhs per rake | 10 Rakes per day |
| 2 | Krishnapatnam Port | 490 km | Rs. 44 lakhs per rake | 12 Rakes per day |
| 3 | Mangalore Port | 425 km | Rs. 41 lakhs per rake | NIL |
| 4 | Chennai Port | 460 km | Rs. 44 lakhs per rake | 3 Rakes per day |

42. It is seen from the table above that the distance to other Ports including those located in East coast from the hub of iron ore and steel industries in Bellary area is not substantial. In the event of increased demand for transport by rail then in such a scenario the products can be transported to Ports other than Murmagao. It cannot be overlooked that the capacity addition

of railway line to Ports in East coast does not involve the destruction of the fragile eco-system as in the case of railway line passing through the ecologically sensitive Western Ghats. The requirement of import export connectivity to ports of northern Karnataka can therefore be best achieved by developing better rail connectivity to Krishnapatnam port. CEC has been informed that the railway line distance between Krishnapatnam and Bellary has been cut short by 72 Kms after the commissioning of Obulavaripalli – Venkatachalam – Krishnapatnam line. The distance from Krishnapatnam to Bellary Junction now is 415.57 Km whereas the distance from Murmuagoa to Bellary Junction is 445.03 Km. This indicates that there is a strong case for use of Ports in East Coast even if it involves development of additional rail line as and when need for capacity addition to rail transport arises in future.

43. RVNL has stated that the Railway line route to Chennai and Krishnapatnam Port are over saturated and use of ports in East Coast is not plausible without first laying an additional track. In the circumstances instead of first laying an additional track to East-coast Ministry of Railways has proposed of connectivity to Murmagao by laying an additional most inefficient track passing through an ecologically sensitive Western Ghats. It is also important to note that the additional

rail tracks to Krishnapatnam Port and Chennai, as and when constructed will not be passing through biodiversity rich fragile eco-system like that of Western Ghat and will also not be like existing inefficient track with gradient of 1:37 with all its serious drawbacks seen earlier. The trains to Krishnapatnam Port and Chennai will also be able to run at speeds averaging 100 Km per hour instead of 30-40 Km per hour and will not be requiring 5 engines to pull it in one direction. Also on application of ecological cost to the movement of rakes to Murmagoa it will be more advantageous to move the goods to ports located in East Coast. It is also important to state that the final commercial cost of transport to any coast will depend on the final global destination to which or from which the consignment is to be delivered / imported and the cost between the factory premises and the Port is not the deciding factor.

44. Even otherwise, keeping in view the operationlisation of Konkan Railway, the proposed 4-lanning of NH-4A and augmentation of air connectivity to Goa by having a new airport, doubling the section of the most inefficient rail line between Castlerock – Goa cannot be justified from operational or economic or ecological angle.

45. Keeping in view the facts as highlighted above and considering that

i) the doubling of the existing rail line will not have any positive impact on the gradient and curvature of the new line and it will operate at the same inefficient level as the existing line and will be operating with all the existing severe limitations on running of trains ‘Up the Ghat’ and ‘Down the Ghat’ as that of the existing line (Ref para 13);

ii) railway line was laid in 1890s when there was no other rail connectivity available to Goa and at present the Konkan railway line gives excellent connectivity to Northern and Southern parts of India.

iii) the Murmagoa Port Trust authorities as well as the project proponents have submitted that consequent to changes in government policy to discourage import of coal there will be reduction in the coal import which currently forms more than 90% of goods traffic from Murmagoa Port;

iv) the estimate of projected increase in traffic from Karnataka to Goa furnished by the railways is not based on facts and is without any sound reasoning

and as statistics shows mostly includes empty rakes returning to Goa and that despite the change in policy on import of coal the same has not been reflected in the projected traffic from Goa to Karnataka;

v) the current movement of goods to Murmagoa Port constitutes only about 20% of the rakes going out from Goa and which leaves a huge unutilised capacity in the existing single line itself;

vi) there are alternative ports like Krishnapatnam in east coast available with better rail connectivity for transport of goods to and from industrial belt of northern Karnataka and the capacity of the same is yet to be fully utilised;

vii) the opening of the forest cover in the ecologically sensitive Western Ghats along the existing line is likely to invite light demanding invasive weeds like Mikania species which colonise fast in the open area and spread to the nearby forest canopy and destroy the natural forest;

viii) the increased number of trains and wider openings through the ecologically sensitive Western Ghats for laying the track will further fragment the habitat

and will make the movement of wildlife including arboreal animals across the railway line much more difficult and dangerous and is bound to result in high casualties amongst the wildlife;

ix) the railway line cuts across the most important animal corridor in the Western Ghat landscape between Karnataka and Maharashtra through the State of Goa and will be a serious impediment for movement of long ranging animals like tiger and elephant.

x) the approval by NBWL to go ahead with the project has been granted in respect of Goa Portion without first obtaining the advice of NTCA as statutorily required under section 38 (O) of the Wild Life (Protection) Act, 1972;

xi) there is a gross under estimation of the requirement of virgin forest land for implementation of the project in as much as the project implementation will require additional land for road connectivity, temporary dumping of the excavated earth/blasted stone and parking of heavy machinery and as such during the stage of implementation of the project much more than

120.875 Ha of estimated forest land is likely to be destroyed; and

xii) the connectivity between Goa and Karnataka is being strengthened/improved by way of 4 laning of NH-4A along the same route and by development of new airport

CEC does not find any justification for undertaking a project of this nature which will destroy the fragile Eco-system of the Western Ghats which is an internationally recognised Biodiversity hot spot and also one of the most important wildlife corridor of the Country. Moreover this doubling project will only be marginally enhancing the capacity of the most inefficient section of the Railway Network passing through ecologically sensitive and bio-diversity rich Tiger Reserve, Two Wildlife Sanctuaries and a National Park. In these circumstances it is recommended for the consideration of this Hon'ble Court to revoke the permission granted by the Standing Committee of National Board for Wildlife (SC NBWL) for doubling of the railway track passing through the ecologically sensitive Western Ghats from Tinaighat-Castlerock in Karnataka to Kulem in Goa involving 120.875 ha. of land (Protected Area 113.857 ha. and Non-Protected Area Reserved Forest 7.108

ha.) from the Bhagwan Mahaveer Wildlife Sanctuary (BMWLS) in the State of Goa and 10.45 ha. (9.57 ha. Dandeli Wildlife Sanctuary and 0.88 ha. in Haliyal Forest Division) in the State of Karnataka vide Minutes of the 56th and 60th Meeting of the SC NBWL in violation of the guidelines issued by the MoEF&CC under the Wild Life (Protection) Act, 1972 and in violation of Hon'ble Supreme Court order 5.10.2015 and without considering the justification for the doubling of the most inefficient railway line with 1:37 gradient and with severe restrictions on movement of trains and without considering the availability of alternative railway routes as well as alternative modes of transport.

**Contd.../-**

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IN THE HIGH COURT OF BOMBAY AT GOA

NOTARY SAYED ABBAS ADVOCATE NOTARY T.S. GOA Reg. No. ...1/2010 Exp. Dt. 12/7/2025 GOVT. OF GOA (INDIA)

PIL WRIT PETITION NO. ------- OF 2020

LD-VC-CW- of 2020

**Goa Foundation** ...**Petitioners**

**Vs.**

**State of Goa & Ors** ...**Respondents**

**REPLY ON BEHALF OF RESPONDENT No (s). 1,2,3 and 4.**

I, Shri. Santosh Kumar, S/o Bishram Prasad Singh, major of age 50 years, presently working as the Chief Wild Life Warden, Government of Goa, the Respondent No. 3, having office at Goa Van Bhavan, Altinho, Panaji Goa, Indian National, do hereby on solemn affirmation, state on submit as under:

1. I say that I have perused and understood the contents of the Petition filed by the Petitioners along with the annexures thereto, and I crave leave to file the present Affidavit-In-Reply dealing with the contentions/ allegations made therein.

2. I say that the present reply is filed to oppose any grant of interim relief in the matter and/or admission of the matter. I crave leave to file a detailed reply on merits at a later stage, if so desired.

3. At the outset, I deny each and every allegation/ statement as made in the Petition which is contrary to the case of this Respondent. Anything not specifically denied may not be construed as admitted for want of specific transverse.

4. Vide the present Petition, the Petitioner is interalia seeking for an order directing the Respondent State to submit its proposal to notify a Tiger Reserve – as per the NTCA's (Resp.No.5) recommendation dated 31.03.2016 and the resolution of the GSBW (Resp No. 2) – to the NTCA as allegedly mandated under Section 38 (V) of the Wildlife Protection Act, 1972 within time-frame fixed by this Court.

5. At the outset, I say that the State of Goa is taking all measures to protect the Tiger population within its jurisdiction. I say that eastern region of State of Goa forms a part of Western Ghats and has been declared as Protected Area comprising of four Wildlife Sanctuaries and one National Park, i.e. Madei Wildlife Sanctuary, Mollem Wildlife Sanctuary, Cotigao Wildlife Sanctuary, Netravali Wildlife Sanctuary and Bhagwan Mahavir National Park. I say that the said areas declared as Protected Area are contiguous with the forest and protected areas of State of Maharashtra and the State of Karnataka and provided highest level of protection to wildlife including tiger.

**6.** I say that the settlement of rights of people residing inside aforementioned wildlife sanctuaries and National Park is under process. I say that Revenue Officer cum Collector (hereinafter referred to as 'ROC') has been appointed by the Respondent No. 1 under the provisions of the Wildlife (Protection) Act, 1972 for settlement of rights of persons residing within the Protected Areas.

**7.** I say that that the intention to declare Wildlife Sanctuary is notified under section 18 of Wildlife Protection Act, 1972. The State Government, thereafter, appoints a Revenue officer cum collector (ROC) under section 18-B, and final notification for declaration of area as Wildlife Sanctuary is notified under section 26-A after finalising claims of the affected persons by ROC following the provisions of Section 19 to section 25 of Wildlife (Protection) Act, 1972.

**8.** I say that the pursuant to a preliminary notification, the process of settlements of rights under the provisions of the Wildlife (Protection) Act, 1972 is in process and not complete. The final notification of some Protected Areas as contemplated under section 26-A of the Wildlife (Protection) Act, 1972 is yet to be issued. I say that, proposing these areas as Tiger Reserve without the settlement of rights of people may be a premature, and will adversely affect larger public interest and further aggravate man-tiger conflict.

9. In case of Madei Wildlife Sanctuary, Bhagwan Mahaveer Wildlife Sanctuary, Netravali Wildlife Sanctuary and Cotigaon Wildlife Sanctuary, which form a contiguous patch in Western Ghats, the current status as regards to final notification under section 26A of Wildlife (Protection) Act, 1972 is as follows:

| Sr.No | Name of the Protected Area | Intention Notification as per Sec, 18 of WPA,1972 | Area (In sq km) | Status of Rights settlement | Final notification as per Sec, 26A of WPA,1972 |
|---|---|---|---|---|---|
| 1. | Bhagwan Mahaveer WLS | 1967 | 133 | Not settled. ROC appointed. | Final notification not yet issued. |
| 2. | Madei WLS | 1999 | 208.48 | Not settled. ROC appointed. | Final notification issued for an area of 44.27 sq.km and for remaining area of |

| | | | | | |
|---|---|---|---|---|---|
| | | | | | 164.21 sq.km final notification not issued. |
| 3. | Netravali WLS | 1999 | 211.05 | Not settled. ROC appointed. | Final notification issued for an area of 56.23 sq.km and for remaining area of 154.82 sq.km final notification not issued |
| 4. | Cotigaon WLS | 1968 and modified in 1992 | 85.65 | Rights settled. | Final notification is issued. |

**10.** I say that from the perusal of the chart depicted hereinabove, it is clear that except for Cotigaon Wildlife Sanctuary, final notification has not been issued for remaining Wildlife Sanctuaries. I reiterate and say that final notification of the Protected Areas can be issued

only after the settlement of rights as prescribed by Wildlife (Protection) Act, 1972. I say that requisite steps are underway for completing the process of settlement of rights. It is, therefore, most humbly submitted that the proposal for notifying tiger reserve in any of the wildlife sanctuary, without first issuing a final notification under the Wildlife (Protection) Act, 1972 would have adverse impact on the larger public as well as aggravate the human-tiger conflict.

**11.** I say that Goa State Board for Wildlife (hereinafter referred to as 'GSBWL') in its meeting held on 16-12-2017 had directed that prior to declaration of an area as a Tiger Reserve, a study be conducted on socio-economic impacts on the local people residing within and in the fringe areas. Copy of minutes of meeting of GSBWL dated 16-12-2017 is **Annexed hereto and marked as EXHBIT R-1.**

**12.** I say that declaration of any Protected Area of the State as a Tiger Reserve without final settlement of the rights of persons residing within the Protected Area, and without conducting a detailed study on the socio- economic impact of any such declaration on the local persons residing within and in the fringe area would affect the larger public interest, and further aggravate the tiger-human conflict.

**13.** I say that under the provisions of the Wildlife (Protection) Act, 1972, protection granted to all species as residing within the Protected Areas, be it a Wildlife Sanctuary, National Park and/or a Tiger Reserve is equal. It is most respectfully submitted that in that view of

the matter, non-declaration of an area as a Tiger Reserve does not in anyway, adversely affect the Tiger population in the State of Goa.

**14.** With respect to Paragraph 2 of the Petition, I say that that the State of Goa has received suggestion from the National Tiger Conservation Authority (hereinafter referred to as 'NTCA' in the year 2011 and 2016 to submit a proposal for constitution of certain Protected Areas of the State as a Tiger Reserve. I say that the Forest Department has initiated appropriate action on the suggestions as given by the NTCA. I say that this Respondent in coordination with neighbouring states is taking all necessary measures for monitoring, protection and conservation of tiger. It is reiterated that the protection granted to all species, including tigers, in Protected Area is equal under the purview of the Wildlife Protection Act, 1972 and therefore it is denied that failure to declare a Tiger Reserve would lead to Goa being a 'death trap' for tigers.

**15.** I say that pursuant to recent tragic tiger death as mentioned in the Petition, an investigation into the same was conducted by Shri Nandakumar E. Parab, Asst. Conservator of Forests (Wildlife & Eco-tourism) North, Panaji-Goa. A report of the said investigation reveals that the incident was triggered by revenge due to loss of cattle in quick succession, and the same was not a part of organised crime. It is respectfully submitted that the said incident and the cause of the same further necessitate prior settlement of rights of persons residing

in the Protected Area, as well as a detail study on socio- economic impact on the rights of people residing within the area sought to be declared as Tiger Reserve, to prevent man-tiger conflict.

**16.** With respect to Paragraph 9 of the Petition, the Respondent at this juncture does not accept the map annexed as Annexure 3 of the Petition, and states that the boundaries as depicted therein requires further authentication.

**17.** With respect to Paragraph 10, the same is a matter of record. With respect to Para 11, I say that as per the records available with this Respondent, except in Mhadei & Bhagwan Mahaveer Wildlife Sanctuary, no images of Tigers were captured in the camera traps placed by the department at crucial places for monitoring of the Tiger movements in different sanctuaries. Further, there is no recorded evidence of sightings of Tiger by the local people residing in the fringe forest areas.

**18.** With respect to Para 12 to 19 of the Petition, the same is a matter of record. With respect to Para 20, it is submitted that the consolidated map showing the Tiger Reserve was only a proposed map and the related correspondences were only of a preliminary nature. The same

requires further detailed study and extensive field survey, prior to acceptance and reliance on the same. The contents of paragraph 21 to 23 of the Petition, the same is a matter of record.

**19.** With respect to Para 24 of the Petition, I say that during the GSBWL meeting as held on 16/12/2017, it was decided to conduct a study on the socio- economic impacts on locals residing in the fringe areas of proposed Tiger reserve prior to discussing the same in the GSBWL. I say that at present there are many villages within the limits of PA's, wherein final demarcation of the area is yet to be done, since settlement of rights of claimants and inhabitants of the PA's has not been finalized so far.

**20.** With respect to Para 25 of the Petition, the contents thereof are a matter of record. With respect to Para 26, I say that the northern boundary of State of Goa which acts as an important corridor facilitating movement of tiger in the Western Ghats landscape has already been notified as Madei Wildlife Sanctuary bounded by Forests of Maharashtra state. As such, in view of the provisions of the Wildlife (Protection) Act, it is most humbly submitted that the said area has equal protection as that of a Tiger Reserve. I say that the Forest Department of Goa has established patrolling camps, which operate 24 X 7, located all over the sanctuary area at Surla

Plataeu, Gululem and Jambli Kaden in Chorla Ghat, Cadval, Assodem, Maloli and Kodal to keep strict vigil on movements of Wild animals especially Tiger across state borders and also for protection of the wild animals including tigers. Further, the beat guards employed in the sanctuary have been empowered with M-STrIPES mobile-app developed by Wildlife Institute of India, for proper monitoring of Tiger habitats and its movements.

**21.** The contents of Paragraph 27 of the Petition, are denied. It is reiterated that ROC has been appointed to hear and settle rights of inhabitants from the Protected Areas of Goa, and the same is in progress. The declaration of Tiger Reserve without decisions of ROC and final notification of the said area U/s 26-A of Wildlife (Protection) Act 1972 will be premature and have a negative impact on the inhabitants and aggravate the tiger-man conflict.

**22.** With respect to Paragraph 28, 29, 30, I say that in pursuance to the NCTA report, several remedial measures have been taken by the Respondent No. 1. I say that a Management Plan for Cotigao Wildlife Sanctuary and Dr. Salim Ali Bird Sanctuary is set up, and procedures are followed as per the approved Management Plan. In case of remaining Wildlife sanctuaries of the State, preparation of Management Plan work is in progress and likely to be completed by the end of the year.

**23.**I say that all possible measures to protect wildlife and its habitat (including tiger population) are taken by the officials of the Forest Department. I say that in particular, in the Mhadei Wild Life Sanctuary, for monitoring at Beat level, smallest functional unit of forest management, as per the requirement of wildlife trekkers are engaged with Forest Guard to combat and prevent illegalities. I say that several officials of the Forest Department patrol the Protected Areas day and night to keep a check on poaching. Apart from these protective measures, wildlife management activities such as habitat improvement, management of water holes, grass land areas, conversion of monoculture area with planting of indigenous fruit bearing species, removal of noxious weed etc are continuously being undertaken in the Protected Area. I say that there are campsites located at Codal, Nagargao, Valpoi and Caranzol wherein Protection staff (i.e. the officials of Forest Department) are deployed, which function 24×7. I say that efforts are undertaken by the Forest Department to strengthen the existing wireless communication system to make it more effective. In order to compensate the local population for damage caused to life and property by wildlife, Respondent No. 1 has recently revised and notified the scheme for wildlife compensation vide notification dated 24/4/20 to ensure timely compensation to the affected people. **Annexed hereto and marked as EXHBIT R-2 is the copy of the notification dated 24/4/2020.**

**24.** All the allegations pertaining to inaction of the Respondents in declaring a Tiger Reserve are denied. It is reiterated that any such declaration without a detailed study of the impact of such declaration on communities living within and around the proposed areas would not be beneficial to the larger interests and would aggravate the tiger-human conflict. I say that without issuing a final notification pertaining to declaration of an area as Wildlife Sanctuary under the Wildlife (Protection) Act, declaring an area which falls within the wildlife sanctuary as Tiger Reserve will be prejudicial to the public interest. I say that the ROC is in process of settlement of claims and rights of residents in the existing Protected Area.

**25.** I say that section 38(v)(1) of the Wildlife Protection Act, 1972 is in effect a directory provision and not a mandatory provision as alleged in the Petition.

**26.** I say that in view of the facts as stated hereinabove, the Petitioner is not entitled to the reliefs as prayed for in the present Petition, and the same is liable to be dismissed.

EXHBIT R-1

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Goa Forest Department

# Minutes of the meeting of State Board for Wildlife held on 16/12/2017.

Meeting of the State Board for Wildlife (SBWL) re-constituted vide Notification no. 2/185/2003-FOR/ 323 dated 07 .09.2017 was held at 5.30 P.M. on 16/12/2017 ( Saturday)

The Hon'ble Chief Minister, Goa & Chairperson chaired the meeting. The list of the other members to the board who attended the meeting is annexed herewith. Leave of absence granted to Director of Fisheries, The State Head, HQ2 STC Panaji, Director Animal Husbandry Services, Director, Wildlife Institute of India, Botanical Survey of India and Zoological survey of India.

The Principal Chief Conservator of Forest & Chief Wildlife Warden, Goa and Member Secretary welcomed the Chairperson and all members for the first meeting of the re-constituted Board and informed that the previous meeting of earlier Board was held on 12/10/2016. The proceedings commenced with the discussion on the agenda items.

**Agenda item - 4.1: Action Taken Report on the 3rd Meeting of the board on 12/10/2016**

Board was informed about the action taken on the decisions of the previous meeting of SBWL .Member Secretary, informed that main decisions taken were to enhance entry fee for Dudhsagar Circuit , survey on Man-Animal conflict issue faced by the people at the fringe areas of PAs , Clearances under FCA including Doubling of Castle Rock-Collem Railway Track and Four laning of NH-7A Goa –Belgaum highway passing through Bhagwan Mahaveer WLS and NP, Mollem, management of tourism especially at Dudhsagar Circuit, habitat improvement in PAs and Protection of Salmona Spring. The Chairperson sought clarification on habitat improvement i.e. removal of exotic especially Eucalyptus (Niligiri tree) in Protected Areas. It was clarified that *Eucalyptus* and *Acacia auriculiformis* are the main exotic tree species which have been planted on fallow and difficult lands earlier and since the ban is there on export of timber, the local demand is

less. The Board decided to move proposal to lift ban on export of the[illegible] outside the state. In case the same is required for the purpose of habitat impro[illegible] Member Secretary, explained about development of grasslands in Netravali WL[illegible] plantation, which are coming up with good results. As regards the proposal o[illegible] Western Ghats, it was discussed at UNESCO for listing as World Natural Heritage Si[illegible] needs to be proposed as a new site. Wildlife Institute of India (WII), Dehradun[illegible] consultation with the MOEF & CC is working on fresh proposal for submission [illegible] UNESCO for consideration. Action taken in the proposed Tiger Reserve area in Goa is to be discussed in Agenda 4.5 separately. As regards to Salmona Spring at Saligao wherein Tourism department has partly acquired area, needs to be increased and map has b[illegible] prepared by the Department. Accordingly Tourism Department may be entrusted to acquire additional land at Salmona. This will be submitted to the Tourism Department for needful action. .

As there were no comments received from the members, hence the Board ratified the minutes of the last meeting and then listed agenda items were taken up.

**Agenda item: 4.2 : Management of tourism in the Protected Areas.**

**(i) Dudhsagar Tourist Circuit:**

The issue of tourism at Dudhsagar Circuit of Bhagwan Mahaveer National Park wa[illegible] discussed in detail. The Chairperson highlighted the issue of high number of vehicles permitted on the route for plying, thereby creating a pressure on the actual stakeholders, and difficulties for the tourist visiting Dudhsagar, and there is a need for taking up proper steps to promote sustainable tourism in the area. He emphasized for implementing a system of online booking. The Member Secretary clarified that online booking system for tourists has already developed with GTDC. The board decided GTDC to make a presentation on proposal for online booking in Dudhsagar Circuit.

to regulate the tourism at Dudhsagar waterfall. Member Secretary suggested to go for online booking of vehicles with 75 % seats reserved for online booking and 25 % seats can be reserved for on the spot / first cum first serve basis for each day quota Further, he also suggested hiking the fare on weekends and it was supported by the Managing Director, GTDC also. Chairperson suggested that we may streamline the above discussed matter first and subsequently we may review the fee structure for Dudhsagar Circuit which can be hiked, further looking at the operation costs and demand

The Member Secretary informed the Board on the ownership status of the 431 vehicles issued permits to operate in 2013 and informed that nearly 37 vehicle are owned by the family members of Government Servants and some persons have more than one permit . Chairperson suggested to verify the ownership details of the vehicles and accordingly decision can be initiated to withdraw the permits of such owners who are economically not weak limiting to one vehicle per family etc. The Chairperson directed to draft an eco- tourism policy for such activities in PAs including the Dudhsagar Circuit. Also we need to evaluate a fresh Carrying Capacity of this circuit. The Member Secretary informed that during the peak tourist influx i.e Diwali and Christmas holidays, there is considerable pressure for operating the vehicles on the route and due to ad -hoc relaxation 431 vehicles plied on the route on one day in the month of November, 17. The Chairperson directed to determine the upper limit for number of vehicles to ply, for Peak Tourist season days and non- rush days in the proposed carrying capacity study.

The Member Secretary informed that circuit is operational w.e.f from 1st week of October to 31st of May i.e. 240 days and remains closed during the monsoon season i.e. June to September every year. Chairperson stressed upon adopting available technology for monitoring un – metalled roads for better upkeep and reducing vehicle pollution.

For study of carrying capacity of tourist circuit at Bhagwan Mahaveer National Park, Chairperson desired to constitute a Committee with SWLB members Shri Sujitkumar Dongre, (CEE, Goa) and Shri Sandeep Azarekar along with other experts under the

Conservator of Forest (WL). Further he was instructed to complete entire exercise and submit a detailed study report by February, 2018 to be placed before SWLB.

In view of the ongoing festive season and also peak tourists' arrival in the state, it was decided to regularize the vehicle operation at Dudhsagar Circuit restricting to 300 vehicles per day w.e.f. 18/12/2017 to 25/01/2018 on a temporary basis only and then revert to 225 vehicles till the Board decides on the actual carrying capacity measures to improve the tourism management of this Circuit in a long term basis. Issue of visitors using railway to reach Dudhsagar was also taken up and it needs to sorted out with the Southern Western Railway.

The Chairperson also suggested the proposed Committee to look into the current eco- tourism management of Savari and Mainapi Waterfall in Netravali WLS and to study carrying capacity and suggest improvements. He also requested Shri Prasad Gaonkar Hon'ble MLA, Sanguem to join team and give suggestions if any .

**Agenda item -4.3 Proposal for FCA clearance in PAs.**

The Member Secretary informed that the South Western Railways has completed enumeration of trees within the earmarked project area and the Environment Impact Assessment Report has also been prepared for it. On query of the Chairperson, he clarified that the earlier proposal was through a different alignment with a lesser gradient but was rejected by the State Government, as it would have led to further fragmentation of the Protected Area. The revised proposal entails laying of a track parallel to the existing one and was given in principle approval in the last meeting of the SWLB.

The Chairperson enquired about data of casualties of Wild animal in train accident in past years and precautions to be taken by the Railways. Member Secretary informed that an incident of Gaur, Sloth bears kills / injury etc. has been recorded between Collem to Dudhsagar stretch. Also briefed that the EIA study by I.I.Sc. has identified few locations, where wild animal often cross over the track and further study using camera trap is under

way. He suggested precautionary measures recommended in the EIA report be taken up by the Railways viz construct overpasses / underpasses in such places, prevent disturbances at the time of execution of work, proper muck disposal, labour work force may not be allowed to reside in the PA and to return back to the base camp every day after work etc. In addition, Chairperson desired that the Railway authority should give an undertaking based on recommendation in EIA report so that they will make prior provisions for creation of properly designed under or over passes where required, in case more number of additional animal crossing sites are identified through the ongoing camera trap survey. Also he suggested that the speed of train shall be regulated in PA. In order to monitor the train speed while in PA, the Railway Authority may ensure that all trains plying on this route will be enabled with GPS , so as to ascertain the location and speed of the trains when passing through the PA.

The Board recommended the proposal to be forward to the MoEFCC/ the NBWL for their consideration as per the FCA, 1980 along with above recommendation.

**Agenda Item-4.3 (ii): Four Laning of NH 4A in Anmod-Mollem Section.**

Member Secretary informed that the project proposal for FCA clearance for four laning of NH-4A from Km 84.133 to Km 97.000 passing through Bhagwan Mahaveer Wildlife Sanctuary /National Park has been received, which requires at total of 31.015 ha. of forest land, out of which 6.750 ha. area is in Wildlife sanctuary and 24.265 ha. area in National Park for permanent diversion and 16.36 ha. for temporary diversion. Chairperson enquired about proposed width of road in the original proposal. Member Secretary clarified that construction of additional lane is proposed largely as viaducts to be raised from the valley side only, on steep rocky face side of the existing road cutting is involved. They have proposed a new design which will provide more underpasses and fewer disturbances to wild animals once the construction is completed.

Shri Sandeep Azarenkar , Member informed Mollem to Anmod stretch of 13 km road having steep slope are having significant scenic beauty, and expressed his concerns

about loosing of such pristine forest. He suggested finding some alternatives for this. Chairperson clarified that the road will be constructed on pillars as raised viaduct and chances of permanent damage to vegetation is minimal in such a design. Once the work gets completed, forest area will return back to normal. He further stated that in view of present road width, it leads to intense traffic congestion on the road and combustion, thereby creating more air pollution in the area.

Shri Sujitkumar Dongre, Member suggested to provide provisions for underpasses and overpasses at key area for safe movement of wild animal. The Chairperson clarified no such structures are required as the proposed design will provide more under passes itself.

The Board decided to analyze EIA report of the diversion proposal as per FCA guidelines and same be put for consideration of the Board in its next meeting.

**Agenda Item-4.4 : Man Animal Conflict.**

Member Secretary informed that study was conducted in the affected areas and it was found that majority of farmers lack knowledge about the Government subsidy schemes for solar fencing. The Chairperson inquired about the procedure to get the compensation payment towards crop damages, which was explained by the Director of Agriculture. The Chairperson indicated that the said scheme was transferred to Dept of Agriculture in year 2012 as subject matter is related to Agriculture Dept. The Member Secretary indicated that main problematic animal is Kheti (Bonnet macaque) which causes damages to coconut and other horticulture crops and can be controlled by spraying chilli powder, and adopting different cropping pattern as followed in the States like Kerala, Tamil Nadu, part of Karnataka especially growing spices / multistorey tree crops like Nutmeg, Cinnamon, covered Floriculture etc, to reduce damage and increase earnings.

Chairperson expressed majority of farmers do not have knowledge about the present scheme of Agriculture Department and suggested Department of Agriculture to

send messages over e-mail to farmers, having Krishi card and publicize the scheme through other media as well. Further, he directed the Director of Agriculture to study on Man-animal conflict issue in consultation with Forest Department and report to him by 30th of January 2018, so that administrative decision can be taken separately to mitigate the problems

Member Secretary informed that the compensation claimed for crop damage of farmers is not much and may not support declaration of any wild animal as vermin in the present situation. Chairperson said that we will not recommend declaring any animal as a vermin, However we need to be proactive in compensating damages to farmers as also work out action plan to keep wild animals away from farms.

Shri Mandar Sawaikar, Member explained few difficulties faced by farmers in availing schemes of Agriculture. Chairperson proposed to consider enhancing amount of compensation from Rs. 25,000/- to Rs. 35,000/- per hectare. Secondly, he directed the Director of Agriculture to propose to form a separate Committee to review and approve compensation cases under the existing scheme. This committee will seek report from the Agriculture Department and finalize for payment of compensation, which will help in speedy disposal of claims. A farmer representative be nominated as a member of the said committee on a 6 month rotational basis. Further, advised to complete study on Human-wildlife conflict issue by conducting meetings with the Shri Prasad Gaonkar, Hon'ble MLA, Sanguem, Shri Mandar Sawaikar, Member and Shri Sujitkumar Dongre , Members of the Board and find an integrated approach for mitigation measures on priority.

As the solar power fencing is not effective against the Wild boar, it was decided to find better option that the Chairperson will try to obtain good quality design and fencing material but insisted we need to think on the possible changes in the cropping pattern, in impacted areas.

Agenda item: 4.5 Proposed Tiger Reserve:

Members Secretary informed about the proposed Tiger Reserve for which a map has been prepared comprising largely undisturbed areas with few human hamlets as core zone adjoining the Kali Tiger Reserve and Bhimgad Wildlife Sanctuary of Karnataka and Maharashtra in the North of Madei WLS, Bhagwan Mahaveer WLS & NP, Netravali and Cotigao WLS. He explained that the large human settlements and tourism areas have been proposed in the buffer zone in the existing PA. Member Secretary informed that the proposed Tiger Reserve map is prepared after the area is intensively studied by the Forest Department in association with Wildlife expert Dr. A.J.T. Johnsingh, Retd. Scientist, WII. Chairperson desired to furnish him details along with study report on socio-economic impact on locals residing in the fringe areas before discussing the same in the Board.

**Agenda item-4.6 Marine Conservation Programme in the State of Goa:**

Member Secretary informed that the MoEF & CC, G.O.I. has sanctioned Rs. 64 lakh for a new project at Galgibag under its CSS-Integrated Development of Wildlife Habitat. "Dakshin Foundation", a Bangalore based NGO specialized in Marine Conservation Programme is being engaged. Also a proposal submitted to the GCZMA under ICZMP for sustainable Coastal Tourism in other important beaches and sea areas of Goa has been approved. The Chairperson advised to keep open old traditional access point to the beach used by locals in Galgibag for their use.

Further, the Chairperson stressed that as per the order passed by the Hon'ble National Green Tribunal against the improperly erected shacks at Morjim beach, Pernem taluka strict action be taken against such shack owners by the Department. He suggested using barricade to restrict their extension into the beach area .

Agenda item. 4.7 : Report on other activities:

(ii) 2nd Bird Festival of Goa

Member Secretary informed about the 2nd Bird Festival of Goa scheduled from 12th to 14th January, 2018 at Cotigao WLS, Canacona. He briefed about the programme and mentioned about a special trip is being organized for observing Oceanic birds. Shri Vivek Naik, Member suggested to involve college students and locals. Member Secretary assured that students will be involved as was done during the last festival at Bondla. Chairperson inquired about concept of the event and expressed his desire to scale this up as an International event from next year and assured to make available all resources required for conducting such an event in future.

Chairperson inquired about status of requisition of Tiger at Bondla Zoo. Member Secretary informed that communications have been made with four Zoos having surplus Tigers, as per norms of CZA under exchange of zoo animal programme. He further explained that Management Plan of zoo and its enclosures design are to be first approved by the CZA, without which the proposed work of Butterfly Park and Walk in Aviary could not be initiated. The Chairperson directed Shri Sandeep Azarekar, Member to co-ordinate with Shri Nirmal Kulkarni, Member of the Board to prepare a presentation on improvement of Bondla zoo which can be shown in next Board meeting.

Chairperson pointed on the issue of differential entry fee in different PAs and directed to have uniform and clear cut entry fee for various permissible activities in all PA and this may be brought up in the proposed eco tourism policy as well.

The meeting ended with vote of thanks to the Chairperson and all the Board members.

(Ajai Saxena)
Chief Wildlife Warden, Goa
& Member Secretary,
State Board for Wildlife

Government of Goa,
Forest Department
Secretariat, Porvorim – 403 521
Tel Nos: (0832) 2419443/2419792/2419697
E-mail: usforest-sect.goa@nic.in

F.No.7-5-2005/FOR/104

Dated:-24/04/2020

Read:-Notification No. 7-5-2005/FOR/310 dated 14-08-2012.

# NOTIFICATION

In supersession of Notification No. 7-5-2005/FOR/310dated14-08-2012, the Government of Goa is pleased to revise the "**Scheme for grant of compensation on account of loss of human life, permanent disability or injury and/or damage to cattle or property caused by Wild Animals"** herein after called "**Compensation for damage by wild animals**" in order to simplify the procedure for determination and timely disbursement of appropriate compensation to the affected person(s). The term 'Wild Animal' will be as defined in the Wild Life (Protection) Act, (Central Act 53 of 1972).

2. The compensation for damage by wild animals for causing death/ injury to human and loss to cattle/damage to property will be determined and paid based on the terms and conditions and the rates as mentioned below.

**Table- I**

The rate of compensation on account of loss of human life or permanent disability or injury caused by wild animals

| S. No. | Injury/ loss to human life | Compensation |
|---|---|---|
| 1. | Ex-gratia payment for death / injury to human life | |
| (a) | Death | Rs.10,00,000/- |
| (b) | permanent disability (viz. loss of limb, eye, etc.) | Rs.5,00,000/- |
| (c) | Injury other than permanent disability | Rs.1,00,000/-, or the entire cost of treatment whichever is less |

Contd...2/-

The rate of compensation for loss of cattle or damage to property caused by wild animals

**Table- II**

| | Loss of cattle/ property | Maximum Compensation* |
|---|---|---|
| 2. | Death of cattle | |
| (a) | Calf | Rs. 10,000/- |
| (b) | Local cow / buffalo / bullock | Rs. 25,000/- |
| (c) | Jersey Cow | Rs. 50,000/- |
| (d) | Pig / Sheep / Goat | Rs. 5,000/- |
| 3. | Injury to cattle | Rs.15,000/-, or as per actual assessment, whichever is less |
| 4. | Damage to House/ other property | Rs. 25,000/- or actual assessment, whichever is less |

Note: * The amount of actual compensation to be paid should take into account factors listed at para 4 (vi) below and in no case should exceed the maximum amount notified in the table-II of the notification.

3. In respect of any other item not mentioned above, the DCF concerned shall decide the amount on merit after examining the case submitted by the RFO.

4. The procedure for assessment of amount of loss / damage and grant of compensation-

(i) The Compensation for attack on human being by wild animal will be admissible to bonafide residents of the area/ authorized visitors only if the incident has taken place inside any of the Wildlife Sanctuaries or National Parks. For attack outside Wildlife Sanctuary / National Park, the compensation shall be available to any person. However, in case of attack on cattle, the compensation shall be available even if the cattle was killed/ attacked inside Wildlife Sanctuary/National Park.

(ii) The cases of compensation shall be dealt by concerned Park Manager/ Deputy Conservator of Forests (DCF) (Wildlife & Eco-tourism) and the Range Forest Officer (RFO) (Wildlife) in case the incident has taken place within Wildlife Sanctuary / National Park or within Eco-Sensitive Zone of that particular Wildlife Sanctuary/National Park. For cases occurring beyond Eco Sensitive Zone, concerned DCF (Territorial) and the RFO (Territorial) shall deal the case.

Contd...3/-

(iii) The investigation in the incidence of attack by wild animal shall be initiated as early as possible by concerned RFO on receipt of the information. For the purpose of assessment of the loss/damage caused to the livestock/other property such as house, huts, livestock sheds etc., the applicant should report the claim to the nearest RFO of the Wildlife Division/ Territorial Division, as the case may be, within 3 days of the incident. The RFO shall forward the same immediately to the DCF alongwith his/her report and Damage Assessment Report from Veterinary Officer (in case of cattle etc.) / Assistant Engineer, PWD (in case of house and other property).

(iv) In cases of loss of human life, concerned DCF shall investigate the case and arrange to obtain the post mortem report from the Authorized Medical Officer and on satisfying on genuineness of the claim shall arrange to pay the compensation to affected person(s) within maximum 3 working days after receipt of post-mortem report. The compensation for loss of human life shall be granted in the following order of preference to:

(a) Wife or husband, as the case may be.
(b) Sons, unmarried or divorced daughters (equal share).
(c) Daughters (equal share).
(d) Grand children being children of sons or daughters (equal share).
(e) Father or mother.
(f) In case of any dispute as per the succession certificate issued by the competent authority.

(v) In case of death of cattle suspected to be caused by wild animals, the owner of the cattle shall submit the claim to the RFO alongwith the post-mortem report from the concerned Government Veterinary Officer within 3 days. The concerned nearest Veterinary Officer shall visit the site within 48 hours of the receipt of complaint and furnish certificate to the owner mentioning loss in Rupees taking various parameters mentioned at (vi) below.

(vi) The maximum amount of compensation to the owner/owners of the cattle due to the attack by wild animal has been given in Table–II. For determining the actual compensation payable in case of death or injury of cattle caused by wild animals, RFO shall record his finding that the death of the live-stock / cattle was entirely due to the attack by wild animal and not due to any other reason. The RFO shall record following information/ details in the report: —

a) Age of the animal.
b) Milk yield of the animal in case of female.
c) Maintenance cost of the animal by the owner.
d) Quantity of the animal dropping.

Contd...4/-

e) Health of the animal or its disease status.

f) Life history and productive capacity of the animal etc.

**Cattle include cow (including cross-bred cow), bullock, buffalo, calf, pig, goat, sheep, etc.

(vii) In cases of loss or injury of cattle/ damage to property, concerned DCF shall investigate the case and on satisfying on genuineness of the claim, shall arrange to pay the compensation to affected person(s) within maximum 3 working days after receipt of post-mortem report.

5. The expenditure shall be debitable under the appropriate Scheme/Head of Account of the Forest Department and arranged to be paid by the DCF/ Divisional Head.

6. To ensure immediate disbursement of compensation, an interest-bearing account dedicated for **"Wildlife Compensation Fund"** shall be opened under Goa Forest Development Corporation with initial corpus of Rs. 25 lakh. For this purpose, the Government shall provide fund from the appropriate budget- head of Forest Department or otherwise, which shall be recouped from time to time. This Wildlife Compensation Fund may also receive donation from corporate houses/societies.

7. After receipt of recommendations and sanction from concerned DCF, the Goa Forest Development Corporation shall affect the payment immediately in not more than 2 days from the **'Wildlife Compensation Fund'** to the affected party as recommended by DCF concerned.

8. DCF shall report all cases of loss/ damage by wild animals and payment of compensation to the Chief Wildlife Warden within three days of payment of compensation. The cases where time limits are exceeded due to any unforeseen circumstance, the same should be brought to the notice of the Chief Wildlife Warden.

This order issues with the concurrence of the Finance Department vide its U. O. No. 1400070882 dated 20-04-2020.

By order and in the name of the
Governor of Goa

(Shaila G. Bhosle)
Under Secretary (Forests)

To,

1. The Director (Printing & Stationery), Government Printing Press, Panaji with request to publish the notification in the next issue of Government Gazette.

Contd...5/-

Copy to:-

1. The Principal Chief Conservator of Forests, Forest Department, Goa Van Bhawan, Old IPHB Complex, Altinho, Panaji-Goa.
2. All Heads of Departments/Officers.
3. The Conservator of Forests (Wildlife & Eco-tourism/ Conservation)
4. The Collector North Goa, Panaji.
5. The Collector, South Goa, Margao.
6. The Director of Agriculture, Panaji.
7. The Director of Animal Husbandry and Veterinary Services, Panaji.
8. The Director of Health Services, Panaji.
9. All Departments in the Secretariat.
10. The Director of Accounts, Panaji.
11. All Deputy Conservators of Forests. (Planning & Statistics)
12. The Joint Director of Accounts, Margao-Goa.
13. The Resident Audit Officer, Panaji.
14. P.S. to Chief Minister/Forest Minister, Secretariat, Porvorim.
15. P.S. to all Ministers, Secretariat, Porvorim.
16. P.A. to all Secretaries, Secretariat, Porvorim.
17. The Sr. Dy. Accountant General (Audit), Porvorim.
18. Guard file.
19. O/c.

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IN THE HIGH COURT OF BOMBAY AT GOA
AT PANAJI GOA

PIL WRIT PETITION NO. /2020

The Goa Foundation
...Petitioner
V/s
State of Goa& ors
...Respondents

**AFFIDAVIT**

I, Dr Claude Alvares, 72 years of age, Secretary, Petitioner No.1herein, do hereby solemnly affirm and declare as under:-

1. The petitioner had sought leave to bring additional documents on record, after perusing the affidavit of the State Government (undated).

2. I am accordingly bringing on record all the relevant notifications that concern the setting up of the Bhagwan Mahaveer National Park and the Bhagwan Mahaveer Wildlife Sanctuary. The first notification dated 28.12.1967 issued under the Wild Animals and Wild Birds Protection Act, 1965 clearly indicates that all those "reserve forests" of Collem Range enumerated in the notification are declared as part of the Game Sanctuary. There can be no claims pending after the final notification is carried out under Section 20 of the Indian Forest Act, 1927 declaring an areas as a Reserve Forest under the said Act.

3. After the Wildlife Protection Act 1972 came into force, the notification of the Mollem National Park followed upon the first notification. It was issued on 13.04.1978 and comprised 107 sq km of the protected area declared as a Game sanctuary earlier.

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4. The areas not included in the Mollem National Park became part of the Bhagwan Mahaveer Wildlife Sanctuary by a separate notification dated 27.9.1982 under the unamended Wildlife Protection Act 1972, under which the notification under Section 18 is deemed a final notification of the sanctuary.

5. Nevertheless, certain areas were excluded from the purview of the Wildlife Sanctuary by orders of the ROC. These were excluded by notification dated 6.9.1985.

6. All the above notifications are annexed to this affidavit as **Annexure A colly** and brought on record for the determination of these proceedings.

Solemnly affirmed, this

The 08 day of February, 2021 Deponent

196/40 N

**ANNEXURE A COLLY**



FORM XIV
(See Rule 40)

Register of cultivators and crops

| Year | Name of cultivator | Mode | Season | Details of cropped area | | | Land not available for cultivation | | Source of irrigation | Remarks |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | | Name of crop | Irrigated Ha. As. | Unirrigated Ha. As. | Nature | Area Ha. As. | | |
| | | | | | | | | | | |

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

*W. G. Ranadive*, Secretary (Revenue)

Panaji, 23rd December, 1967.

## Local Self Government Department

### Notification

DF-894-FOR-67

In exercise of the powers conferred by Section 18 of the Wild Animals and Wild Birds Protection Act 1965 and in pursuance of Section 19 of the said Act, the Administrator of Goa, Daman and Diu hereby notifies the following area comprising of the Reserve Forest of Collem Range falling within the village limits of Bottor, Toldem, Darguem, Tambdi, Borial, Surla, Atconda, Anvaldem, Nondrona, Molem, Caranzol, Sonaulim, Dudhasagar, Oxel, Boma, Dongurlim, Dudhal, Calem, Maulinguem, Zuna, Darguem, Cormonem, Oldevam, Shiggaon, Bolcornem, Godanem and delimited by the boundaries mentioned below, as a Game Sanctuary:

BOUNDARIES

North: Taluka boundary of Sanguem.

East: State boundary of Union territory of Goa.

South: Village boundaries of Darguem and Zuna villages.

West: Katcha road leading from Malpon to Collem village boundary and further along the perennial nala (river) upto Oldevan, and from there to the South along the katcha road which leads to Kaley Railway Station. From Kaley Railway Station along the road which leads to Darguem village boundary.

and further directs that the Collector Goa shall inquire into and determine the existence, nature and extent of any rights alleged to exist in favour of any person in or over the land comprised within the limits of the aforesaid area and deal with the same as provided in the said Act.

By order and in the name of the Administrator of Goa, Daman and Diu.

*S. P. Upasani*, Secretary to Chief Minister.

Panjim, 28th December, 1967.

## Forest and Agriculture Department

Notification

No. 8-3-77-FOR

Whereas it appears to the Administrator of Goa, Daman and Diu that the areas specified in the Schedule hereto are needed to be constituted as a National Park for the purposes of protecting, propagating and developing wild life therein or its environment;

Now, therefore, in exercise of the powers conferred by Section 35 of the Wild Life Protection Act, 1972, (Central Act 53 of 1972) the Administrator of Goa, Daman and Diu hereby notifies his intention to constitute the areas specified in the Schedule hereto as a National Park for the purposes of the said Act and further directs that the Collector of Goa shall enquire into and determine the existence, nature and extent of any rights alleged to exist in favour of any person in or over the land comprised within the limits of the said areas and deal with the same as provided in sections 19 to 25 of the said Act.

SCHEDULE

All that areas falling within the Mahavir Wild Life Sanctuary and comprising of an area of 107 sq. kms. and of the villages of Nandron, Mollem, Caranzol, Sonauli; part of Oxel and Boma bounded on the north by National Highway 4-A leading to Belgaum, on the south and east by Interstate boundary between Goa and Karnataka; and on the west by pole numbers 766 to 1150 and from 1 to 90 and then along the Collem — Mollem road. Further the boundary runs along the National Highway from Mollem towards Belgaum.

By order and in the name of the Administrator of Goa, Daman and Diu.

*M. K. Bhandare*, Under Secretary (Forest and Agriculture).

Panaji, 13th April, 1978.

## Local Administration and Welfare Department

Order

No. 4-3/Coop/Deput/(JM)/76/RDD/3998

Read: Govt. Order No. 4-3/Coop/Deput/(JM)/76/RDD dt. 28-2-1978.

Sanction of the Govt. is, hereby, accorded to the extension of deputation term of Shri John Mascarenhas, Extension Officer (V.P.-cum-Coop.) Canacona, as Managing Director to Canacona Taluka Farmers Service Coop. Society Ltd., Canacona for a further period of one year with effect from 12-3-1978 to 11-3-1979, under the terms and conditions already specified in the Govt. order cited above.

By order and in the name of the Administrator of Goa, Daman and Diu.

*E. N. Rodrigues*, Under Secretary (Revenue).

Panaji, 5th April, 1978.

## Revenue Department

### Office of the Collector and D.C.A.

Order

No. CAB/Temple/92/602

The Special Committee appointed on 3-5-1968 as published in the Government Gazette No. 8, Series II dated 23-5-1968, is hereby dissolved for not having submitted the draft bye-laws even much after lapse of the maximum period stipulated for the purpose.

2. Under Art. 18 of the Devasthan Regulation (Regulamento do Mazanias) the following persons are hereby appointed to form the Special Committee to frame the draft bye-laws of the Devasthan of "Shri Ganapati Rawalnath" of Dargalim, Pernem Taluka.

*Effective Members:*

President: — Shri Ravindra Purshotam Punalecar, Tivim-Bardez.

Treasurer: — Shri Laxman Balkrishna Halbe, Dargali-Pernem.

Attorney: — Shri Avinash P. Punalecar, Tivim-Bardez.

Secretary: — Shri Kashiram Gopal Punalecar, Corgao-Bardez.

*Substitute Members:*

President: — Shri Narayan Vithal Punalecar, Tivim-Bardez.

Treasurer: — Shri Dattaram Vithal Punalecar, Tivim-Bardez.

Attorney: — Shri Suresh Baburao Punalecar, Satarda-Sawantawadi.

Secretary: — Shri Gangaram Balkrishna Punalecar, Res, Sawantawadi.

3. The Committee is required to submit its report to the Government within a period of six months from the date of publication of this order in the Official Gazette. The procedure laid down under Art. 17 and 18 of the Devasthan Regulation as amended by the Legislative Diploma No. 1899 dated 29-5-1959, and also the Government directions contained in the Revenue Department's letter No. RD/END/116-71/II, dated 27-7-1971 should be followed while framing the bye-laws.

*Narendra Prasad*, Collector and DCA.

Panaji, 30th March, 1978.

## Industries and Labour Department

Order

No. IRM/CON(15)/77/IT-15/78

Whereas the Lieutenant Governor of Goa, Daman and Diu is of the opinion that an industrial dispute exists between the employers in relation to the management of M/s. Sociedade de Fomento Industrial Pvt. Ltd., Margao, Post Box No. 31 and their workman Shri Vaman Pednekar, House No. 35, Sarvodom, Navelim, Salcete, represented by the Goa General Offices and Establishments Staff Association, Post Box No. 99, Margao, in respect of the matters specified in the Schedule hereto annexed (hereinafter referred to as the "said dispute");

And whereas the Lieutenant Governor of Goa, Daman and Diu considers it expedient to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Lieutenant Governor of Goa, Daman and Diu hereby refers the said dispute for adjudication to the Industrial Tribunal, Goa, Daman and Diu, Dona Paula, Goa, constituted under section 7-A of the said Act.

SCHEDULE

"Whether the action of the management of M/s. Sociedade de Fomento Industrial Pvt. Ltd., Post Box No. 31, Margao (Goa) in terminating the services of Shri Vaman Pednekar, Driver with effect from 18-11-1976 is legal and justified?

If not, to what relief the workman is entitled to?".

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

*G. M. Sardessai*, Under Secretary, Industries and Labour.

Panaji, 5th April, 1978.

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PRICE — 0-25 Ps.

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Panaji, 27th September, 1982 (Asvina 5, 1904)

SERIES I No. 26

# OFFICIAL GAZETTE

## GOVERNMENT OF GOA, DAMAN AND DIU

## EXTRAORDINARY

No. 2

## GOVERNMENT OF GOA, DAMAN AND DIU

Forest and Agriculture Department

**Notification**

8-12-82-FOR

Whereas the area specified in the Schedule annexed hereto (hereinafter called the 'said area') has been declared as a Game Sanctuary under section 18 of the Wild Animals and Wild Birds Protection Act 1965 (21 of 1965) under the Local Self Government Department's Notification No. DF-894-FOR-67 dated 20-12-1967.

And whereas, the Government considers that the said area is of ecological, faunal, floral, geomorphological, natural or zoological significance for the purpose of protecting, propagating or developing wild life and its environment.

Now, therefore, the Administrator of Goa, Daman and Diu, in exercise of the powers conferred by sub-section (1) of section 18 of the Wild Life (Protection) Act 1972 (Central Act 53 of 1972) hereby also declares the said area to be a sanctuary for the purposes of the said Act.

SCHEDULE

The areas comprising of the Forests of Collem Range falling within the village limits of Bootor, Toldem, Darguem, Tambdi, Borial, Surla, Atconda, Anvaldem, Nondrona, Molem Caranzol, Sonaulim, Dudsagar, Oxel, Boma, Dongurlim, Duchel, Calem, Maulinguem, Zona, Darguem, Cormonem, Oldovem, Shiggaon, Bolcornem, Godanem and delimited by the boundaries mentioned below.

*Boundaries:*

North: Taluka boundary of Sanguem.

East: State Boundary of Union Territory of Goa.

South: Village boundaries of Darguem and Zona villages.

West: Katcha road leading from Nalpom to Collem Village boundary and further along the perennial nala (River) upto Oldeval, and from there to the South along the katcha road which leads to Kalay railway station. From Kalay railway station along to the road which leads to Darguem village boundary.

By order and in the name of the Administrator of Goa, Daman and Diu.

*N. P. Gaunekar,* Under Secretary to the Government of Goa, Daman and Diu.

Panaji, 27th September, 1982.

GOVT. PRINTING PRESS — GOA
(Imprensa Nacional — Goa)
PRICE — 0-25 Ps.

(v) for sub-rule (5), the following sub-rule shall be substituted, namely: —

"(5) Subject to the provisions of sub-rule (4), the decision of the Technical Officer or the Senior Town Planner concerned, as the case may be, under sub-rule (3) above, shall be final, and the Panchayat shall communicate its sanction, modification or refusal to the applicant within a period of one week from the date of receipt of such a decision.";

(vi) after sub-rule (5), the following new sub-rule shall be inserted, namely: —

"(6) The Panchayat may direct a person who erects or re-erects or commences to erect or re-erect any building without its permission to present to it an application for such permission, within a period of thirty days, and may grant such permission after following the procedure laid down in this rule subject to the payment of penalty, which shall not be less than one and half times and not more than two times of the fee payable for such permission."

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

*A. P. Panvelkar*, Under Secretary (F. & A.).

Panaji, 19th November, 1985.

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## Notification

6-12-82-FOR

The following areas are hereby excluded from the limits of the Bhagwan Mahavir Wildlife Sanctuary (Molem Wildlife Sanctuary) constituted under Government Notification No. DF-894-FOR-67 dated 28-12-1967 and subsequent Notification No. 8-12-82-FOR dated 27th September, 1982 and No. 8-12-82-FOR dated 14th March, 1984.

| Sl. No. | Name of the village | Taluka | Survey Number of the areas excluded | Remarks |
|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 |
| 1. | Surla | Sanguem | 1 to 20, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 39, 46, 47, 48, 49, 50, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71, 72, and 74. | — |
| 2. | Aglote | Sanguem | 19, 21, 22, 23 and 24. | — |
| 3. | Sancordem | Sanguem | 14, 15, 16, 18, 19, 21, 22, 23 and 24. | The portion of Sancordem village within the Wild Life Sanctuary has been completely excluded. |
| 4. | Colem | Sanguem | 26, 27, 28, 29, 30, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 61 and 62. | — |
| 5. | Colem | Sanguem | 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 66, 67, 72, 75, 76 and 77. | — |
| 6. | Sigao | Sanguem | 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 114, 115, 116, 117 and 118. | — |

By order and in the name of the Administrator of Goa, Daman and Diu.

*A. P. Panvelkar*, Under Secretary to the Govt. of Goa, Daman and Diu.

Panaji, 6th September, 1985.

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## Public Works and Urban Development Department

### The Southern Planning and Development Authority

### Notification

Whereas by Notification No. 4/10/83-LAWD dated 5-9-85 and published in the Official Gazette No. 25 Series I dated 20-9-85 Government has published the Goa, Daman and Diu Town and Country Planning (Planning and Development Authorities) (Sixth Amendment) Rules 1985 wherein the maximum and minimum development charges for construction of walls, gates, roads, pipe lines, drains and any other development of linear nature that may be levied by Planning and Development Authority have been prescribed.

Now, therefore, pursuant to Section 100 of the Town and Country Planning Act 1974 and as per the above referred notification of Government of Goa, Daman and Diu following shall be the rates of Development charges whereas the procedure for applying for development charges, mode of payment of development charges, etc. and charges for other development activities shall remain the same as notified by the Southern Planning and Development Authority dated 6th March 1985 in the Official Gazette, Government of Goa, Daman and Diu dated 18th April 1985 (Chaitra 28, 1907) Series I No. 3.

*Rates of Development charges:*

The Development charges that may be levied shall be as per the zones defined in column (1) and at the rates specified in column (2).

| Zones with specific F.A.R. as per ODP/CDP of the Planning Area | Rate per running meter for construction of walls, gates, roads, pipelines drains and other linear development |
|---|---|
| (1) | (2) |
| 2.50 and above | Rs. 2.50 |
| 2.00 | Rs. 2.00 |
| 1.80 | Rs. 1.80 |
| 1.20 | Rs. 1.20 |
| 1.00 and below | Re. 1.00 |

In case of sub-division no separate charges will be levied for development of roads, pipe lines and drains.

*Morad Ahmad*, Member Secretary.

Margao, 21st November, 1985.

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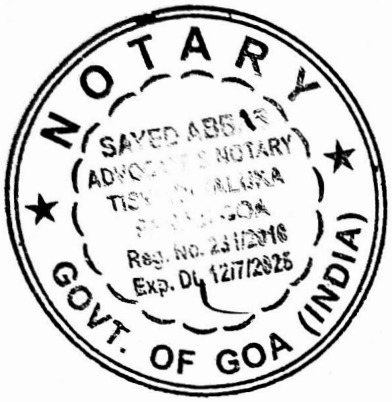


**IN THE HIGH COURT OF BOMBAY AT GOA**

PILWP (stamp) No. 954/2020

Goa Foundation ...Petitioner

versus

State of Goa and Others ...Respondents

**ADDITIONAL AFFIDAVIT IN REPLY OF THE RESPONDENT NOS. 1 TO 4**

I, Mr. Santosh Kumar, major of age, Indian National, presently working as the Chief Wildlife Warden, Government of Goa, the Respondent No. 3 herein above, having office at Van Bhavan, Altinho, Panaji-Goa, do hereby on solemn affirmation state on oath as under:

1. I say that I am presently working as the Chief Wildlife Warden, Government of Goa and I am authorized to file the present Affidavit. I state that I am filing the present

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affidavit based on the records available with my office and I am able to depose thereto.

2. I state that I have read and understood the contents of the Affidavit in Rejoinder filed on behalf of the Petitioner dated 14/12/2020. I further state that I am in receipt of the Amended copy of the petition. I say that I have read and understood the contents of the same and I am filing this Composite Additional Affidavit in reply in response to the Affidavit in Rejoinder dated 14/12/2020 as well as the Amendment carried out to the Petition.

3. I deny all the singular averments raised in the Affidavit in Rejoinder dated 14/12/2020 filed by the Petitioner and the Amended Petition filed by the Petitioner to the extent the same are contrary and/or inconsistent to the case set out by me in the Affidavit in Reply dated 24/09/2020 and the present Composite Additional Affidavit in Reply. I herein reiterate whatever has been stated in the Affidavit in Reply dated 24/09/2020. I say that the contentions/averments

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which have not been traversed and/or denied by me may not be taken to have been admitted by me.

4. I say that vide the present Composite Additional Affidavit in Reply I shall first deal with the Affidavit in Rejoinder dated 14/12/2020 filed by the Petitioners followed by the Amended petition.

5. With respect to the contents of paragraph No.3 of the Affidavit in Rejoinder, it is denied that in light of the alleged pressure exerted by the mining lobby, the process of setting up a Tiger Reserve has been halted by the State of Goa.

6. With respect to the contents of paragraph No. 7, it is denied that the State of Goa has treated the present petition in an adversarial manner.

7. With respect to the contents of paragraph No. 9, it is denied that the failure to notify the proposed areas as a Tiger Reserve will be detrimental to the conservation of the Tiger population. I say that this Respondent in paragraph No. 23 of its affidavit in reply dated 24/09/2020 has stated the various measures undertaken by the Respondent to protect wildlife

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and its habitat situated within the protected areas (including the tiger population).

8. With respect to the contents paragraph nos.10 to 12, I say that the use of the word 'shall' in a provision does not on its own imply that the said provision is mandatory in nature. I say that the provision ought to be read in the text and context thereof. I submit that no prejudice is caused in the event the said provision is read as being directory. I say that the language of the entire provision needs to be considered as a whole. I say that the Legislature has in the Wildlife Protection Act, consciously used two distinct words, i.e. 'recommendation' and 'directions'. I submit that the Tiger conservation Authority in terms of section 38V(1) can give recommendations whilst the Tiger Conservation Authority in terms of section 38O(2) can issue directions. I say that the use the word recommendation in section 38V(1) as well as the absence of any consequence which will follow the failure to follow the said recommendation makes it evident that the said provision is only directory in nature. I therefore submit that

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the judicial decisions which the Petitioner has placed reliance upon will not come to the aid of the Petitioner.

9. Even if is assumed without admitting that section 38V(1) of the Wildlife Protection Act is mandatory in nature, the same does not imply that the exercise of notifying an area as a Tiger Reserve is to be carried out in the absence of carrying out vital surveys and studies as are a crucial requirement for the notification of the proposed area as a Tiger Reserve. I say that the legislature in its wisdom has not fixed a time frame for the purpose of notifying an area as a Tiger Reserve. I say that the Wildlife Protection Act, 1972 came into force on 16/07/1973. The Wildlife Protection Act as it stood at the time of its introduction contemplated only wildlife Sanctuaries, National Parks, conservation reserve or a community reserve as Protected areas. I say that guidelines were issued with respect to the time period to complete the process for finally notifying any proposed areas as a Wildlife Sanctuary or a National Park, a conservation reserve or a community reserve. I however say that no such time frame or guidelines are fixed for the purpose of notifying an area as a Tiger Reserve.

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GOA
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GOA (INDIA)

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10. I say that the provision pertaining to Tiger Reserves which is contained in Chapter IVB of the Wildlife Protection Act was introduced by way of an Amendment in the year 2006. I say that possibly in light of the difficulties, at the ground level, faced by the State Authorities in completing the process of finally notifying any area as a protected area the Legislature in its wisdom has opted not to fix a time frame to notify a Tiger Reserve. I say that the notification of an area as a Tiger Reserve cannot be done in a haphazard manner and in the absence of having carried out essential studies.

11. The contents of paragraph No. 13 are denied. It is denied that the Tiger Conservation Authority only has recommendatory powers or that that Tiger Conservation Authority only has the power to issue mandatory directions. I submit that the language used in the Wildlife Protection Act itself does not support the Petitioners contention. Further I say that the Petitioners whilst reading sub section 2 of section 38O of the Wildlife Protection Act has conveniently ignored the proviso which qualifies and puts fetters on the directions that can be issued by the Tiger Conservation Authority. I say that the

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proviso is reproduced herein; '*Provided that no such direction shall interfere with or affect the rights of local people particularly the Scheduled Tribes.*' It is therefore denied that the states position is untenable and/or contrary to the express provisions contained in the Act.

12. The contents of paragraph No. 15 are denied. It is denied that there is no requirement that the settlement of rights of Scheduled Tribes or Forest Dwellers to areas falling within a wildlife sanctuary must be completed or that a final notification under section 26A must be issued before any protected area can be notified as a Tiger Reserve. I say that a reading of the provisions contained in Chapters IV and IVB of the Wildlife Protection Act make it abundantly clear that the rights of the local people residing within the protected areas need to be identified and protected. I say that the Wildlife Protection Act, 1972 does not concern itself with the protection of the wildlife at the cost of the local people who depend on the forest. I say that amongst others, one of the purposes behind identifying the local persons and their rights qua the protected area is in order to take the necessary

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measures to harmonize the needs of the tribals and other dwellers of the forest with the protection and conservation of wild life and thereby mitigate animal and human conflicts.

13.I say that Section 24 of the Wildlife Protection Act, 1972 provides that in the event the Collector admits a part or the whole of the claim, made by the persons who reside within such forests or who are dependent upon such forests, then the Collector may either exclude such land from the limits of the proposed protected area or proceed to acquire such lands/rights or allow in consultation with the Chief Wildlife Warden the continuation of any right of any person in or over any land falling within the Protected area. I therefore say that in the absence of having finally determined the claims of the forest dwellers or the persons having forest rights the notification of the Tiger Reserve is premature and will merely increase the conflict between animals and humans.

14.I say that the mere fact that Tiger Reserves have been notified in the rest of the Country in the absence of the issuance of the Final Notification under section 26A of the Wildlife Protection Act does not mandate that the State of Goa also a

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follow the similar line of action. I say that it is unknown as to whether in the States mentioned in the tabular column at paragraph No. 15 i.e. Arunachal Pradesh, Uttar Pradesh and Uttarakhand; the claims of the forest dwellers have been determined by the concerned Collector or the other factual circumstances that warranted the notification of the Tiger Reserves in the said states.

15.I say that qua the State of Goa, the Goa State Board for Wildlife itself has suggested that a study/report be prepared on the socio-economic impact on locals residing in the fringe areas before further discussing the issue of notifying the Tiger Reserve. It is pertinent to bear in mind that amongst the several duties which are statutorily placed on the State Board for Wildlife under section 8 of the Wildlife Protection Act, 1972, it is also the duty of the State Board for Wildlife to advise the State Government on several matters which amongst others includes the measures to be taken for harmonizing the needs of the tribals and other dwellers of the forest with the protection and conservation of wild life.

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16. The contents of paragraph No. 16 are denied. It is denied that the stand taken by the State of Goa in its Affidavit dated 24/09/2020, that prior to the notification, if any, of the Tiger Reserve the settlement of rights or final notification under section 26 for the protected areas is required to be determined/issued is an afterthought. I say that the minutes of the meeting of the State Wildlife Board itself make it clear that the socio impact assessment of the notification on the locals which includes within its ambit the determination of the rights of the locals is of utmost importance.

17. With respect to the contents of paragraph No. 17, the same are denied. I say that there is no quarrel with the proposition of law that once the State Government declares its intention under sub-section (1) of section 18 of the Wildlife Protection Act to constitute any area, as a sanctuary, the provisions of sections 27 to 33A (both inclusive) shall come into effect forthwith and that the same is not in any way weakened by there not being a notification under section 26A of the Wildlife Protection Act. However, it is pertinent to note that the said effect of the declaration under sub-section (1) of

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section 18 has a limited purpose i.e. it aims to give immediate effect to the protective measures that are enumerated in sections 27 to 33A to the area provisionally declared as a protected area. Section 18A of the Wildlife Protection Act provides as follows;

'***18A. Protection to sanctuaries.***—*(1) When the State Government declares its intention under sub-section (1) of section 18 to constitute any area, not comprised within any reserve forest or territorial waters under that sub-section, as a sanctuary, the provisions of sections 27 to 33A (both inclusive) shall come into effect forthwith.*

*(2) Till such time as the rights of affected persons are finally settled under sections 19 to 24 (both inclusive), the State Government shall make alternative arrangements required for making available fuel, fodder and other forest produce to the persons affected, in terms of their rights as per the Government records.*'

18. It is therefore clear that section 18A gives immediate effect only to the provisions contained in sections 27 to 33A of the Wildlife Protection Act and does not include within its ambit

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section 38V(1) of the said Act. It is therefore denied that the effect of section 18A is that in the absence of the final Notification under section 26A of the Wildlife Protection Act, the State of Goa can notify an area as a Tiger Reserve.

19. With respect to the contents of paragraph No. 18, I say that merely because the proceedings under sections 19 to 25 of the Wildlife Protection Act, 1972 as far as possible must be completed within a period of two years, does not mean that in the event more than two years have passed, the said proceedings under sections 19 to 25 have either lapsed or that the same are deemed to be completed. I say that the protected areas in the State of Goa cover a vast expanse of over 754.96 square kilometres. I say that this area of 754.96 square kilometres includes within its ambit several villages and the forest rights of the inhabitants of such villagers are required to be identified and decided upon. It is denied that the State of Goa has abandoned the process of deciding settlement Rights. It is denied that the Respondents are in violation of the provisions of the Wildlife Protection Act and/or the actions of the Respondents amounts to defeating the object of declaring

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these areas as protected areas. It is denied that the State administration is inefficient or passive. It is herein reiterated that the notification of the said area as a Tiger Reserve in the absence of determining the claims preferred under sub section (b) of section 21 of the Wildlife Protection Act or the issuance of the Final Notification under section 26A of the Wildlife Protection Act is premature, and the same will adversely affect larger public interest and further aggravate man-tiger conflict.

20. With respect to the contents of paragraph No. 19, I say that it is the Petitioners case that the provisions of section 38V which deal with notification of a Tiger Reserve sufficiently provide for the protection of the rights of the people residing in and around a Tiger reserve. However, I say that in order to protect the rights of the people undersection 38V of the Wildlife Protection Act the said rights of the people need to be first identified and decided upon. I say that in the absence of deciding the claims of the forest dwellers, their rights cannot be effectively protected. It is denied that far greater detail and care is provided under section 38V for persons residing within

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the limits of a Tiger Reserve as opposed to persons residing within the limits of a wildlife Sanctuary.

21. I say that no doubt the explanation to section 38V provides that the core zone is required to be kept inviolate for the purpose of tiger conservation however, this core or critical tiger habitat areas of National Parks and sanctuaries have to be identified and established on scientific and objective criteria as stated in the Wildlife Protection Act itself. Further it is also crucial that the establishment of such areas is done without affecting the rights of the Scheduled Tribes or such other forest dwellers. I say that in the absence of determining the rights of the Scheduled Tribes or such other forest dwellers it is not possible to effectively establish the core or critical tiger habitat areas in such a manner so as to mitigate tiger and human conflict. I say that it is pertinent to bear in mind that even the deaths of the 4 tigers which were reported in January 2020 took place solely in light of the tiger-human conflict.

22. With respect to the contents of paragraph No. 20, I state that the rights of the Scheduled Tribes and the Forest Dwellers have to be conclusively determined prior to notifying an area

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a Tiger Reserve. I say that when the State Board for Wildlife had its meeting on 12/10/2016, an area of 590 sq km '*that is* ***relatively free*** *from any major human habitations has now been identified as the likely area.* Further the mapping process was still underway. In the meeting of the State Board for Wildlife which was subsequently held on 16/12/2017 the proposed draft plan was presented which contained a few human hamlets as core zone and large human settlements had been proposed in the buffer zone. I say that as such it is crucial to complete the exercise of determination of the rights of the Schedule Tribes and the Forest Dwellers.

23. The contents of paragraph No. 21 are denied. It is denied that any better protection is granted to persons residing within a Tiger Reserve as opposed to persons residing within any other type of Protected area.

24. The contents of paragraph No. 22 are denied. It is denied that the actions or the alleged lack thereof are prejudicial to the rights of the people and the interest of wildlife.

25. The contents of paragraph No. 24 are denied. I say that the records make it clear that the proposed draft of the core area

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contains a few human hamlets. I therefore say that the determination of their rights is crucial before any decision can be taken in order to notify the area as a Tiger Reserve. I say that subsequent to the determination of the rights of the Scheduled Tribes or the Forest Dwellers, the said Forest dwellers are either to be relocated with their consent, or permitted to continue to live within the boundaries of the Protected area or the State is to acquire such land or rights or in the alternative exclude such land from the protected area. I say that in the absence of the completion of this entire process the notification of any area as a Tiger Reserve is wholly premature.

26. With respect to the contents of paragraph Nos. 25 and 26, it is denied that the need to conduct the studies or field surveys is a mere excuse on the part of the Government not to declare the Tiger Reserve as recommended by the NTCA. It is denied that the field surveys and studies have been abandoned and/or are being used as an excuse.

27. The contents of paragraph No. 27, 28 and 29 are denied. It is denied that the Respondents contention as recorded in

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paragraph Nos. 13, 14 and 20 of its Affidavit in Reply dated 14/12/2020 is absurd. I say that the protection of the Tiger population cannot be viewed let alone be done in isolation. I say that the protection of the Tiger population on its own includes and requires the protection of the co-predators and its natural prey animals as well as their habitats. I say that tiger conservation no doubt includes protection of tiger reserve and providing site specific habitat inputs for a viable population of tigers, co-predators and prey animals, however the same is to be done without distorting the natural prey-predator ecological cycle in the habitat. I say that at no point of time does Tiger preservation take precedence over all other wildlife. It is therefore denied that chapter IVB merely provides extraordinary protection to tigers alone. It is denied that tiger preservation has consequent benefit to other wildlife and their habitat as well. On the contrary Tiger preservation as per the Wildlife Protection Act itself requires that the natural ecological cycle is not disturbed and the natural ecology of the co-predators and the preys is primarily protected.

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28. With respect to the contents of paragraph No. 31, I say that under section 33 the Chief Wildlife Warden, who is the Authority which is entrusted with the task of managing, controlling and maintaining the sanctuary; can take all such steps as will ensure the security of wild animals in the sanctuary and the preservation of the sanctuary and wild animals therein and may take such measures, in the interests of wild life, as he may consider necessary for the improvement of any habitat. I say that in pursuance of the same the State of Goa has taken the steps and measures as mentioned in paragraph No 23of the Affidavit in reply dated 14/12/2020. I say that the Wildlife Protection Act itself contemplates several measures to protect and preserve the wildlife within the protected areas which are being followed by the State of Goa.

29. With respect to the contents of paragraph No. 34, I say that the mere fact that an area notified as a Tiger Reserve and a Protected area form a contagious stretch, does not suffice for the purpose of declaration of the said contagious protected area also as a Tiger Reserve. I say that such a principle would

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lead to every protected area lying adjacent to a Tiger Reserve being declared as a Tiger Reserve as well. I submit that the Wildlife Protection Act, 1972 does not contemplate such an eventuality. It is denied that the failure to notify these areas in Goa as a Tiger Reserve will impact the tiger population in the entire Western Ghats complex.

30. With respect to the contents of paragraph No. 35, it is stated that the report prepared by the Nature Conservation Foundation, Mysore in association with the Goa Forest Department does not conclusively confirm the presence of tigers in all 4 protected areas i.e. Mhadei, Netravali, Cotigao and Bhagwan Mahavir Wildlife Sanctuary. So also with respect to Bhagwan Mahavir WLS the report does not conclusively confirm the presence of Tigers. However, under the heading Key conservation issues and suggestions it is recorded that '*Bhagavan Mahavir WLS and NP have records of tiger sighting and have about 15 villages, with a total population of 400 people.*' With respect to Netravali WLS the report records that '*There were at least three big scats and scrapes, **which could have been** those of the tiger.*' Under the

heading findings the report records that the '*The highlights of this survey was the* ***indirect evidence*** *we obtained about the* ***possible presence*** *of tigers in Mhadei WLS and Netravali WLS*'. With respect to Cotigao WLS also the report does not confirm the presence of tigers. However, under the heading Key conservation issues and suggestions, it records that, *'Cotigao Wildlife Sanctuary is connected to Kali TR and as a result tigers are reportedly range into the sanctuary*'.

31. The contents of paragraph No. 36 are denied. It is denied that the state authorities are inefficient and that there are procedural delays in carrying out its statutory functions.

32. The contents of paragraph No. 33A of the Amended petition are denied. It is denied that the Central Empowered Committee (CEC) which was appointed by the Hon'ble Apex Court has taken a firm stance to ensure that the tiger habitat in Goa is afforded the highest protection. I say that the report of the CEC ought to be read as a whole and not in parts as is sought to be done by the Petitioner. Be that as it may, I say that the Central Empowered Committee (CEC)vide its report dated 23.04.2021 at no point of time has suggested that the

concerned protected areas ought to be declared as a Tiger Reserve, nor has the CEC supported or recommended the declaration of the concerned protected areas into a Tiger Reserve in State of Goa. I say that the report of the CEC which is before the Hon'ble Apex Court was prepared under a complete different set of circumstances and the terms of reference of the CEC do not in any manner pertain to the issues agitated vide the present petition.

33. With respect to the contents of paragraph No. 33B of the Amended petition, the Petitioners insinuation that the CEC has recommended the revocation of the permissions granted for the railway project solely on the ground that the project would pass through the tiger habitat is denied. I say that the CEC report speaks for itself. I say that the contiguous Western Ghats landscape in the eastern region of the State of Goa has already been notified into five protected areas comprising of four Wildlife Sanctuaries and one National Park. I say that the State of Goa is conscious of the fact that the said protected areas in the State of Goa are contiguous with the Forest and Protected Areas of the neighbouring States of Maharashtra

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and Karnataka (which includes the Tiger Reserves situated in the neighbouring States). As is mentioned in paragraph No. 5 of the Affidavit in Reply dated 14/12/2020, in light of the said fact the State of Goa ensures provision of the highest level of protection towards all the wildlife inhabiting the said protected areas which includes the Tigers.

34. I herein reiterate that all possible measures to protect the diverse wildlife (including the Tiger population)and their habitat are taken by the officials of the Forest Department. A brief glimpse of the said measures are stated in paragraph No. 23 of the affidavit in Reply dated 14/12/2020.

35. I say that what is stated by me in paragraphs 1 to 7, 9(part), 10(part), 12 to 14, 15(part), 16, 17(part), 19(part), 20 to 34 of the present Composite Additional Affidavit in reply are true to my knowledge and based on the records maintained by my office to which I have access and the contents of paras 8, 9(part), 10(part), 11, 15(part), 17(part), 18, 19(part) are legal submissions based on legal advice, which I believe to be true.

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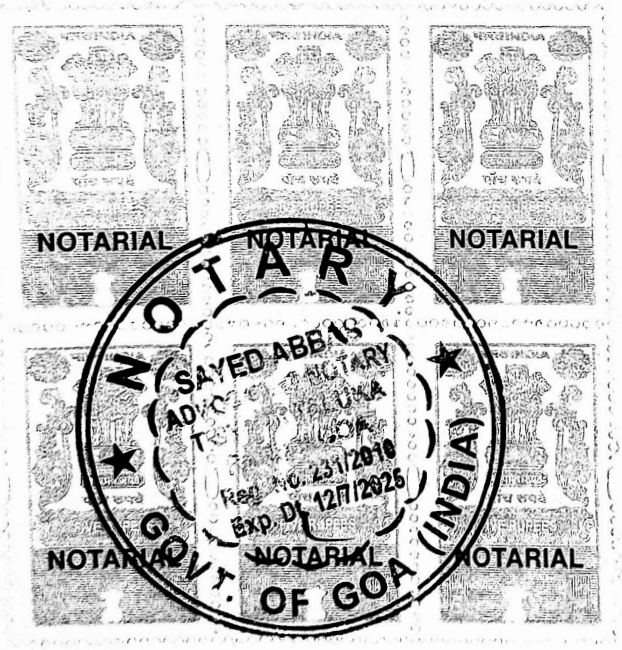
Solemnly affirmed at Panaji, Goa.

On this 23rd day of February, 2022.

Deponent

Identified by:




Solemnly affirmed before me by
Shri / Smt Santosh Kumar .IFS
who has been identified by
Identity Card.
whom I personally know
Reg. No. 875/2022 dated 23/02/2022

SAYED ABBAS
Advocate & Notary
Tiswadi Taluka
Panaji-Goa 403001
Reg. No. 231/2010

**IN THE HON'BLE HIGH COURT OF JUDICATURE AT BOMBAY, GOA BENCH, AT PORVORIM**

P.I.L. WRIT PETITION NO.
[S.T.M. (MAIN) No. 954 of 2020]

The Goa Foundation )… **Petitioner**

v/s

State of Goa & Ors )… **Respondents**

**AFFIDAVIT IN REJOINDER OF THE PETITIONER**

I, Dr Claude Alvares, Secretary of the Petitioner organisation, do hereby solemnly affirm and declare as under:-

1. I am filing this rejoinder with reference to the affidavit in reply filed by the Chief Wildlife Warden (CWW-Resp No 3) on behalf of the State of Goa (Resp No.1), the Goa State Wildlife Board (Resp No.2) and the PCCF (Resp No 4) dated 23.02.2022.

2. At the outset, I deny all the facts and averments in this affidavit which are not consistent with the pleadings in the PIL Writ Petition. I also state that I am not replying to each and every statement and averment made in this affidavit-in-reply and nothing may to be deemed to be admitted unless the same is specifically admitted

herein but should be treated as though the same has been set out seriatim and denied and disputed specifically.

3. I say that a majority of the averments and issues raised herein have already been dealt with in the affidavit in rejoinder dated 14.02.2020 and are not being repeated for the sake of brevity.

4. Despite even the MoEF & CC and the NTCA supporting the averments made by the Petitioner, the Respondent continues to aver that the use of the word 'shall' in Section 38 V(1) does not imply that the provision is mandatory and that no prejudice is caused in the event that it is read as being directory. However, the respondent fails to provide any further substantiation. The Petitioner submits that the present case in itself is a significant example to show the prejudice caused on the provision being read as directory. Even after repeated recommendations by the NTCA under Section 38V(1) of the WLPA, the Government has failed to notify a tiger reserve in the state. Subsequent to the NTCA's recommendations, the GSWB has also taken a decision to notify a tiger reserve, decided to conduct studies and prepared a draft map and proposal to be submitted for approval. However, no further steps have been taken, and no reasonable justification provided. The respondent's only defense is to say that the

provision is not mandatory and in arguendo, that there are no timelines under the Act – thus permitting the State to drag its feet indefinitely, leading to the prejudice of the rights of the tigers as well as those residing within the protected areas and proposed tiger reserve area. The respondents actions – or lack thereof – clearly show how reading Section 37 V(1) as directory would defeat the very object and purpose of the provision itself.

5. With regard to the issue of the settlement of the rights of the forest dwellers, the petitioner submits that the respondent is wholly incorrect in its interpretation and application of the law and prescribed procedures.

6. The respondent avers that until the settlement of the rights under Chapter IV ( Section 19-25) of the WLPA are complete – a tiger reserve cannot be notified as it would prejudice the rights of the people residing within these areas. The Petitioner submits that the provisions of the WLPA applicable to a wildlife sanctuary, national park and those applicable to a tiger reserve are completely distinct and separate. The Petitioner reiterates that there is absolutely no statutory requirement that the settlement of rights to areas under a wildlife sanctuary must be completed, or that a final notification under

Section 26-A must be issued, before part of any protected area can be notified as a tiger reserve.

7. In fact, the same has already specifically been clarified by the NTCA vide letter dated 19.06.2006 addressed to the CWWs of all tiger reserve states which states:

> "... (d) The process of settlement of rights in areas included in a tiger reserve, where final notification for constituting national park or sanctuaries is yet to be issued, the proceeding would be conducted as per the provisions provided in Chapter IV read with Chapter IV B of the Act."

A copy of the letter dated 19.06.2006 is enclosed as **Annexure 1.**

8. The Petitioner submits that once a tiger reserve is notified, the area is governed by the provisions of Chapter IV B – inserted via amendment in 2006 specifically for the purpose of tiger conservation. Under the provisions of Chapter IV B, the settlement of the rights of people residing within the Tiger reserve begins *after* the notification of the area as a tiger reserve and thus the notification of a tiger reserve prior to the settlement of rights would not be premature. The settlement of the rights of the people would depend on whether they fall within the core area or the buffer area of the tiger reserve as per the

tiger conservation plan prepared under Section 38V (3) and (4) of the Act. The core area is supposed to be kept inviolate for conservation (only where it has been established, on the basis of scientific and objective criteria, that such areas are required to be kept as inviolate for the purposes of tiger conservation, without affecting the rights of the Scheduled Tribes or such other forest dwellers, and notified as such by the State Government in consultation with an Expert Committee constituted for the purpose). The NTCA in fact has published guidelines detailing the procedure for the settlement of rights as per provisions of the WLPA as well as the Forest Right Act, 2006. A copy is enclosed as **Annexure 2**.

9. I submit that the Act specifically provides for the protection of the people's rights after the notification of a tiger reserve and until the settlement of their rights under the provisions of Chapter IV B and specifically states that "no scheduled tribes or other forest dwellers shall be resettled or have their rights adversely affected for the purpose of creating inviolate areas for tiger conservation unless the process of recognition and determination of rights and acquisition of forest rights is complete." However, this does not in any way interfere with the notification of the area as a tiger reserve

itself. All other protections and restrictions within a tiger reserve can come into effect upon the notification of the area as a TR – similar to the notification of a wildlife sanctuary under Section 18, and the settlement of rights can continue as an ongoing process.

10. In the buffer zone, a lesser degree of habitat protection is required to ensure the integrity of the critical tiger habitat with adequate dispersal for tiger species, and which aim at promoting co-existence between wildlife and human activity with due recognition of the livelihood, developmental, social and cultural rights of the local people, wherein the limits of such areas are determined on the basis of scientific and objective criteria in consultation with the concerned Gram Sabha and an Expert Committee constituted for the purpose. Here, restrictions are aimed largely on certain commercial activities, including tourism and mining.

11. In view of the above, the Petitioner submits that the provisions of Chapter IV B of the WLPA adequately provide for and protect the rights and lives of the people residing within areas to be notified as tiger reserves, and the same cannot be used as an excuse by the respondents to refuse to carry out its statutory duty in this regard. The respondent is bound to notify the tiger reserve as

per the repeated recommendations of the NTCA and also to complete the process of the settlement of the rights of the people under Chapter IV and IV B of the WLPA.

12. I state the contents of paragraphs 1 and 4(p) of this affidavit are correct and true to the best of my knowledge, and the contents of paras 2, 3, 4(p), 5, 6, 7, 8, 9, 10, and 11 are my submissions made on legal advice which I believe to be true and correct. No part of it is false and nothing material has been concealed therefrom.

Solemnly affirmed at
this the 14th day of March, 2022 Deponent

# ANNEXURE 1

## NATIONAL TIGER CONSERVATION AUTHORITY

(Statutory Body under the Ministry of Environment and Forest, Govt. of India)

Member Secretary

Bikaner House, Annexe-V
Shahjahan Road, New Delhi-110011
Telefax: 23384428
E-mail: dirpt-rfonic.in

**Dated.: 19.02.2006**

**F. No. 6(4)/2005-PT (part III)**

To,

**The Chief Wildlife Wardens**
**(All Tiger Reserve States)**

**Sub:** Clarification on concerns vis-à-vis Wildlife (Protection) Amendment Act, 2006.

Sir,

Some concerns have been raised on the recent amendment to the Wildlife (Protection) Act. It is pertinent to add that the Chapter IV (b) on the 'National Tiger Conservation Authority' has neither repeated nor overridden other parts of the principal Wildlife (Protection) Act, 1972 relating to national parks, sanctuaries, conservation or community reserves. The amendment has the effect of:

(a) Enabling designation of tiger reserves.
(b) Ensuring tiger conservation plan for each such area.
(c) Creating a Tiger Conservation Authority to ensure implementation amongst other provisions.

The recent amendment is compatible with and is in addition to and not in derogation of the principal wildlife (Protection) Act, 1972.

Based on the decision taken during the first meeting of the National Tiger Conservation Authority held on 28.11.2006 under the Chairmanship of the Minister of Environment and Forests, the following clarification are issued, in pursuance of sub-section (2) of Section 380, of Chapter IV (b) of the "Wildlife (Protection) Amendment Act, 2006:

(a) The tiger reserves notified by the State Government prior to coming into force of the Wildlife (Protection) Amendment Act, 2006 shall be eligible for receiving financial assistance. The Field Directors are required to prepare and submit the Tiger Conservation Plan before the expiry of the

present management plan after working out the compliance of sub-section (4) of Section 38 V for delineating core and buffer areas.

(b) The areas of national parks, and sanctuaries included in a tiger reserve, where the process of final declaration is yet to be completed, shall be completed under Chapter IV read new Chapter IV B of the Act.

(c) Provisions of sub-section (2) of Section 38 V of Chapter IV (b) shall be applicable only to the buffer or peripheral areas of a tiger reserve and not to areas notified as national park or sanctuary or those which are in the process of being so and form part of a tiger reserve.

(d) The process of settlement of rights in areas included in a tiger reserve, where final notification for constituting national park or sanctuaries is yet to be issued, the proceeding would be conducted as per the provisions provided in Chapter IV read with Chapter TV B of the Act.

(e) As per the procedure followed in the past, which required the States to send proposals for constituting tiger reserves to the Project Tiger, the States may continue to send such proposals to the National Tiger Conservation Authority, so as to enable the Authority to ensure the desired requisites vis-à-vis the normative guidelines for declaration of such areas, apart from making provisions for their funding support.

Yours Sincerely
**Sd/-**
**Member Secretary (NTCA)**
National Tiger Conservation Authority

**Copy to:** The Field Director (All Tiger Reserves States)

**Sd/-**
**Member Secretary (NTCA)**
National Tiger Conservation Authority



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# ANNEXURE 2

F. No. 15-4/2010-NTCA (Part-III)

# ADDITIONAL GUIDELINES FOR THE ONGOING CENTRALLY SPONSORED SCHEME OF PROJECT TIGER RELATING TO NEW COMPONENTS

## PROJECT TIGER / NATIONAL TIGER CONSERVATION AUTHORITY

## MINISTRY OF ENVIRONMENT AND FORESTS

## GOVERNMENT OF INDIA

**PROTOCOL/GUIDELINES FOR VOLUNTARY VILLAGE RELOCATION IN NOTIFIED CORE/CRITICAL TIGER HABITATS OF TIGER RESERVES**

**PREAMBLE:**

*The Wildlife (Protection) Act, 1972 has been amended in 2006, and a separate chapter (Chapter IVB) has been provided, which interalia, provides for constituting the National Tiger Conservation Authority (NTCA), its powers and functions, reporting requirements, constitution of State level Steering Committees, preparation of Tiger Conservation Plan, explanation regarding the core or critical tiger habitat and the buffer or peripheral areas of a tiger reserve and establishment of the Tiger Conservation Foundation. The said amendment came into force with effect from 4th of September, 2006. The above statutory provisions have been incorporated to strengthen tiger conservation in the country vis-à-vis the urgent recommendations of the Tiger Task Force constituted by the National Board for Wildlife. The purpose of this Protocol is to facilitate the State Forest Departments to carry out village relocation from notified core/critical tiger habitats, in compliance of the relevant provisions of the Wildlife (Protection) Act, 1972, read with the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, while complying with the earlier advisories issued in this regard.*

## 1. BACKGROUND

1.1. The tiger continues to remain one of the most endangered large predators in the world. Based on scientific empirical data and simulation results for a viable tiger population, it has been established that a minimum inviolate area of 800-1200 sq.km. is required for a viable population of tiger (20 breeding tigresses). An ecologically sensitive zone (buffer, coexistence area, multiple use area) of 1000-3000 sq.km. is required around this inviolate space for sustenance of dispersal age tigers, surplus breeding age tigers and old displaced tigers. Together with the core area, this would sustain the dynamics of source-sink while sustaining a population of 75-100 tigers. The scientific simulation results have been provided in the 'Guidelines for Preparation of Tiger Conservation Plan' issued by the NTCA (Technical Document: NTCA/01/07), which constitute the scientific criteria for identifying the core/critical tiger habitats.

1.2. A tiger reserve consists of two parts, viz., 'a core or critical tiger habitat', and 'a buffer or peripheral area'. Section 38V 4(i) of the Wildlife (Protection) Act, 1972 (hereinafter referred to as WPA, 1972) explains the core or critical tiger habitats, identified on the basis of scientific and objective criteria, areas of National Parks and Sanctuaries to be kept as inviolate for tiger conservation, without affecting the rights of the Scheduled Tribes and Other Traditional Forest Dwellers, and notified as such by the State Government in consultation with an expert Committee constituted for the purpose.

1.3. Section 38V 4(ii) of the Wildlife (Protection) Act, 1972 (hereinafter referred to as WPA, 1972) explains the buffer or peripheral area consisting of the area peripheral to the critical tiger habitat or core area, where a lesser degree of habitat protection is required to ensure the integrity of the critical tiger habitat, providing habitat supplement for dispersing tigers, besides offering scope for coexistence of human activity. The limits of the buffer / peripheral areas are to be determined on the basis of scientific and objective criteria in consultation with the concerned Gram Sabha and an expert Committee constituted for the purpose.

1.4. Thus, the voluntary relocation of people needs to be done only in the identified core / critical tiger habitats of a tiger reserve.

1.5. The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (hereinafter referred to as FRA, 2006) came into force on 31.12.2007 (midnight). The said Act provides for recognition of, and vesting of forest rights in forest dwelling Scheduled Tribes and Other Traditional Forest Dwellers. Section 4(2) (a) to (f) provide for satisfying several conditions while modifying the Recognised Forest Rights in critical wildlife habitats of National Parks and Sanctuaries. These, interalia, include completion of the process of recognition and vesting of rights as specified in section 6 of the said Act, establishing by the concerned agencies of the State Government vis-à-vis their powers under the Wildlife (Protection) Act, 1972, that the activities / impact of right holders are sufficient to cause irreversible damage to wild animals, concluding the non-availability of other coexistence options by the State Government, preparation of resettlement package while providing a secure livelihood and free informed consent of the Gram Sabha.

## 2. OBJECTIVE

2.1. The NTCA has issued a set of guidelines for implementing the Centrally Sponsored Scheme of Project Tiger, after its revision by the competent authority in February, 2008, alongwith a format for preparation of village relocation plan from core/critical tiger habitats. Further, guidelines for ensuring the centrality of the Panchayati Raj Institutions, defining the 'family' for relocation and the need for ensuring the implementation of the Wildlife (Protection) Act, 1972, read with the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (after the coming into force of the latter) have also been issued. The instant protocol/guidelines consolidate the same to facilitate the implementing agencies in States. The guidelines have necessarily been kept broad and generic in nature, for States to refine procedures as per their requirements to facilitate implementation.

2.2. The instant protocol/guidelines aim to ensure that all necessary statutory procedures required for the effective implementation of relocation are undertaken, and that in the process of conservation and protection of tigers and their habitats, the rights of forest dwellers are respected, and the process of recognition and determination of rights is complete.

## 3. RELEVANT PROVISIONS

The relevant provisions of the FRA, 2006, and the WPA, 1972 relating to relocation from core/critical habitats of tiger reserves are detailed below:

3.1. Section 4(1) of the FRA, 2006 recognizes and vests forest rights in Scheduled Tribes and other traditional forest dwellers. The Forest Rights are listed in Section 3 of the FRA, 2006, which, *inter-alia,* secure individual or community tenure or both.

3.2. The said forest rights (under Section 3 of the FRA, 2006), can subsequently be modified or resettled outside of Critical Wildlife Habitats, conditional upon all the relevant provisions being met under Section 4 (2) (a) to (f) of the said Act. As per the said Act, payment of compensation for the immovable property of people forming part of modifying/ settling their rights is a statutory requirement.

3.3. Chapter IV of the WPA, 1972 (Section 24) provides for acquisition of rights in or over the land declared by the State Government under Section 18 (constituting a Sanctuary) or Section 35 (constituting a National Park).

3.4. Under the WPA, 1972, as amended in 2006, section 38V (4)(i) the core or critical tiger habitat and the process of its notification have been explained as '*core or critical tiger habitat areas of National Park and Sanctuaries, where it has been established, on the basis of scientific and objective criteria, that such areas are required to be kept as inviolate for the purposes of tiger conservation, without affecting the rights of the Scheduled Tribes or such other forest dwellers, and notified as such by the State Government in consultation with an Expert Committee constituted for the purpose'*.

3.5. Under the WPA, 1972, as amended in 2006, requirements have been laid down for voluntary relocation of people on 'mutually agreed terms and conditions', for the purpose of creating inviolate areas for tiger conservation:

3.5.1. "the process of recognition and determination of rights and acquisition of land or forest rights of the Scheduled Tribes and such other forest dwelling persons is complete;

3.5.2. the concerned agencies of the State Government, in exercise of their powers under this Act establishes with the consent of the Scheduled Tribes and such other forest dwellers in the area, and in consultation besides with an ecological and social scientist familiar with the area, that the activities of the Scheduled Tribes and other forest dwellers or the impact of their presence upon wild animals is sufficient to cause irreversible damage and shall threaten the existence of tigers and their habitat;

3.5.3. the State Government, after obtaining the consent of the Scheduled Tribes and other forest dwellers inhabiting the area, and in consultation with an independent ecological and social scientist familiar with the area, has come to a conclusion that other reasonable options of co-existence, are not available;

3.5.4. resettlement or alternative package has been prepared providing for livelihood of affected individuals and communities and fulfills the requirements given in the National Relief and Rehabilitation Policy;

3.5.5. the informed consent of Gram Sabhas concerned, and of the persons affected, to the resettlement programme has been obtained;

3.5.6. the facilities and land allocation at the resettlement location are provided under the said programme, otherwise their existing rights shall not be interfered with."

## 4. COMPATIBILITY OF SECTION 38V OF THE WILDLIFE (PROTECTION) ACT, 1972 (RELATING TO RELOCATION FROM CORE/CRITICAL TIGER HABITATS) WITH THE SCHEDULED TRIBES AND OTHER TRADITIONAL FOREST DWELLERS (RECOGNITION OF FOREST RIGHTS) ACT, 2006

4.1. The phrase '*core or critical tiger habitat'* is mentioned only in the Wildlife (Protection) Act, 1972, as a sequel to amendment made to the said Act in 2006. It is **NOT** defined in the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

4.2. The phrase '*critical wildlife habitat'* is defined only in the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, and **NOT** in the Wildlife (Protection) Act, 1972.

4.3. 'Core or critical tiger habitat' is different from the 'critical wildlife habitat'. Since tigers are territorial big cats, hence considering their social land tenure dynamics, the 'core / critical tiger habitat' has been viewed separately from the 'critical wildlife habitat', which is applicable to other wild animal species.

4.4. Based on deliberations with experts and simulation results from scientific data, it has been found that a minimum inviolate area of 800-1200 sq.km. is required to sustain a viable population of tigers (20 breeding females).

4.5. Establishing the core / critical tiger habitat as 'inviolate' involves two steps as per the Wildlife (Protection) Act, 1972:

(a) Identifying the core / critical tiger habitats as per section 38V 4(i) of the Wildlife (Protection) Act, 1972 by establishing on the basis of scientific and objective area that such areas are required to be kept as inviolate for the purpose of tiger conservation, without affecting the rights of the Scheduled Tribes or such other forest dwellers, and notified as such by the State Government in consultation with an expert committee constituted for the purpose.

(b) Establishing the identified core / critical tiger habitat as inviolate through voluntary relocation on mutually agreed terms and

conditions as per section 38V (5)(i) to (vi) of the Wildlife (Protection) Act, 1972, read with section 4(2) (a) to (f) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, provided that such terms and conditions satisfy the requirements laid down in the Wildlife (Protection) Act, 1972.

4.6. The above provisions laid down in the Wildlife (Protection) Act, 1972 (section 38V), subsequent to the 2006 amendment are specific to tiger conservation, and are not only compatible but more stringent than the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

4.7. Under the revised Centrally Sponsored Scheme of Project Tiger (2008), two options have been given to people:

Option-I: Payment of Rs. 10 lakhs per family in case the family opts so, without any rehabilitation / relocation process by the Forest Department.

Option-II: Carrying out relocation / rehabilitation by the Forest Department with the following per family norms out of Rs. 10 lakhs:

| | | |
|---|---|---|
| (a) | Agricultural land procurement (2 ha.) and development | 35% of the total package |
| (b) | Settlement of rights | 30% of the total package |
| (c) | Homestead land and house construction | 20% of the total package |
| (d) | Incentive | 5% of the total package |
| (e) | Community facilities (access road, irrigation, drinking water, sanitation, electricity, telecommunication, community centre, places of worship, cremation ground) | 10% of the total package |

4.8. The cash option has been provided for catering to people who are not interested in a resettlement and are prepared to establish themselves elsewhere under 'mutually agreed terms and conditions', as indicated in the Wildlife (Protection) Act, 1972. This has checks and balances as the money is provided through the District Collector after the villager produces evidence of his procuring land etc.

4.9. The relocation is voluntary, and is done only if people are willing to move.

4.10. Monitoring committees at the District as well as State levels are required to be constituted by the States.

## 5. 'CRITICAL TIGER HABITAT' VIS-À-VIS 'CRITICAL WILDLIFE HABITAT'

5.1. The salient points relating to 'critical tiger habitat' (CTH) and 'critical wildlife habitat' (CWH) are comparatively indicated below:

| CTH | CWH |
|---|---|
| Legal mention in WLPA (2006) amendment | Legal mention in FRA (2006 Sec. 2(b) |
| Process outlined in WLPA | Process outlined in MoEF guidelines |
| Recognition, vesting of rights as per FRA, read with WLPA | Recognition, vesting and resettlement as per FRA |
| Clear criteria based on existing scientific knowledge / simulation data pertaining to tiger | Necessity for generic criteria that encompass diversity of species and landscapes |
| Informed consent of concerned Gram Sabha and affected persons required for resettlement programme | Free informed consent of Gram Sabha pertaining to the area vis-à-vis proposed resettlement / relocation package is essential |

5.2. Section 4(2)(a) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 necessitates that the process of recognition and vesting of rights as specified in section 6 of the said Act is complete in all the areas under consideration before modification or resettlement.

5.3. Section 4(2)(b) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 necessitates that the concerned agencies of the State Governments should establish in exercise of their powers under the Wildlife (Protection) Act, 1972 that the activities or impact of

the presence of holders of rights upon wild animals is sufficient to cause irreversible damage and threaten the existence of the said species and their habitat, before modification or resettlement.

5.4. Section 4(2)(c) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 necessitates that the State Government has to conclude that other reasonable options such as coexistence are not available, before modification or resettlement.

5.5. Section 13 of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 provides that the said Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force.

5.6. It has been established on the basis of existing scientific knowledge that an area of 800-1200 sq.km. of inviolate core/critical habitat is required for a viable population of tiger. Section 38V 4(i) of the Wildlife (Protection) Act, 1972, as amended in 2006, specifically provides for establishing the core/critical tiger habitats on the basis of scientific and objective criteria, in consultation with an expert Committee, without affecting the rights of the Scheduled Tribes or such other forest dwellers. Therefore, under section 4(b) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, the field authorities / Field Director of a Tiger Reserve may identify the core/critical tiger habitat as per section 38V 4(i) of the Wildlife (Protection) Act, 1972, using the criteria of 800-1200 sq.km., which has to be notified by the State Government in consultation with an expert Committee constituted for the purpose. The latter takes into account the impact of biotic disturbance on tiger resulting in man-tiger conflicts, besides underlining the need for such minimal area of inviolate space for tiger where no coexistence is possible.

## 6. GUIDELINES FOR IDENTIFICATION/NOTIFICATION OF CORE/CRITICAL TIGER HABITAT IN TIGER RESERVES AND VILLAGE RELOCATION

A checklist of steps and documents for all stages is contained in **ANNEXE 1.**

**Step I: Identification/notification of the core/critical tiger habitat**

The identification should be done as provided under section 38V (4)(i) of the Wildlife (Protection) Act 1972.

**Step II: Establishing the core/critical tiger habitat for creating inviolate area for tiger involving relocation of families / villages from such areas**

The provisions contained in the FRA sections 4 and 6 and the provisions contained in the Wildlife (Protection) Act 1972 section 38V (5) should be followed.

In case of voluntary relocation also, the rights of people should be recognized and settled before relocation.

### 6.1. Operational guidelines for Step II (Village relocation)

[Involving provisions of Wildlife (Protection) Act, 1972 read with provisions contained in the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006]

#### 6.1.1 Recognition / settlement of Rights

Recognition and vesting of rights as per section 6(i) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006:

(a) Constituting a Sub-Divisional Committee by the State Government as provided in the FRA (section 6) for examining the resolution passed by the Gram Sabha, besides preparing the record of forest rights and forwarding it through the Sub-Divisional Officer to the District level Committee for a final decision.

(b) Initiation of the process for determining the nature / extent of individual / community forest rights or both by the local Gram Sabha, involving consolidation, verification, area delineation on a map, passing a resolution and forwarding a copy to the Sub-Divisional Committee as provided in the FRA.

(c) Disposal of petitions, if any, from persons aggrieved by the Gram Sabha resolution by the Sub-Divisional Committee as provided in the FRA.

(d) Constituting a District level Committee by the State Government for considering and finally approving the record of forest rights prepared by the Sub-Divisional level Committee.

(e) Disposal of petitions, if any, from aggrieved persons by the District level Committee within 60 days from the date of decision by the Sub-Divisional level Committee, as provided in the FRA.

(f) Constituting the State level Monitoring Committee by the State Government as provided in the FRA.

### 6.1.2. Relocation of villages after recognition / settlement of rights as above (Identification/prioritization of villages, cut off date for residing families, choice of options etc.)

6.1.2.1. Following the notification of the core/critical tiger habitat, the Field Director must identify the village/villages situated within such notified core area.

6.1.2.2. A prioritization of villages to be relocated should be done based on man-tiger conflicts, presence of tiger den sites, grazing areas of wild ungulates, grazing pressure from livestock, presence of water and other welfare factors, site specific attributes etc.

6.1.2.3. A meeting of the concerned Gram Sabha should be convened with the active participation of the villagers to be relocated. The villagers must be informed about the details of the core/critical tiger habitat, its importance, man-tiger conflicts, options available under voluntary resettlement, options for payment, process of relocation/rehabilitation, and grievance redressal system.

6.1.2.4. The proposed package has two options:

**Option I:** payment of the entire package amount (Rs. 10 lakhs per family) to the family, in case the family opts for this, without involving any rehabilitation/ relocation process by the Forest Department.

**Option II:** carrying out relocation/ rehabilitation of village from protected area/tiger reserve by Forest Department.

6.1.2.5. Free informed consent of the Gram Sabha and affected villagers must be taken in writing regarding the proposed resettlement package/option.

6.1.2.6. The recognition / settlement of rights must be done as indicated under Step-II (para 6.1 above).

6.1.2.7. Records of the rights vested in the said villages/forest dwellers must be obtained from the Gram Sabha, as have been approved by the District level Committee under section 6(5) of the FRA, 2006. In case where records of forest rights are

unavailable, the matter should be taken up with the District Collector.

6.1.2.8. After obtaining the details of rights as above, a meeting of the District level Implementing Committee, as indicated at para 4.2.4. of the Guidelines issued from Project Tiger/NTCA [F.No. 3-1/2003-PT (relocation)] should be convened for deciding the 'cut off date' vis-à-vis the definition of the 'family' provided in the Guidelines (Advisory No. 3-1/2003-PT dated 19.3.2008 as per the National Rehabilitation and Resettlement Policy, 2007).

6.1.2.9. The valuation of the recognised rights/assets of the villagers to be relocated must be obtained from the District Collector.

6.1.2.10. The Field Director should submit a Village Relocation Proposal (VRP) to the National Tiger Conservation Authority/Project Tiger for funding support, through the Chief Wildlife Warden/State Government. The format for a VRP document is detailed in **ANNEXE 2.**

## 6.2. Field implementation

6.2.1. Once the VRP is approved for central assistance under Project Tiger and the options are decided, the following steps may be ensured:

**Option-I (payment of the entire package amount of Rs. 10 lakhs per family)**

6.2.1.1. On receipt of central assistance under Project Tiger vis-à-vis the relocation proposal sent by the Field Director, the funds should be deposited in the account of the District Collector and a joint savings bank account must be opened for each beneficiary / family with a deposit of Rs. 10 lakh each.

6.2.1.2. In case of forest villagers having no tenurial rights, two bank accounts should be opened for each family viz., a savings account with a deposit of Rs. 1 lakh, and a joint savings account with the District Collector for an amount of Rs. 9 lakhs. Out of the latter, a minimum amount of Rs. 3 lakhs should be earmarked as a fixed deposit for a period of three years to ensure interest payment to the relocated villagers. On production of documentary evidence by the villagers (within a prescribed time period) relating to proposal for acquiring immovable property / agriculture land, funds should be made available to the seller from the joint savings account after due verification by the District level Committee through a Demand Draft, which should be mentioned in the sale agreement. The

balance amount, if any, in the joint savings account, alongwith the interest accrued, should be transferred to the savings account of the villager / beneficiary.

6.2.1.3. In case of revenue villages, the following two options are suggested under option-I:

**Option A**

In case, the villagers through the Gram Sabha agree for receiving a payment of Rs. 10 lakhs per family (inclusive of the valuation for their assets), then the said amount would be deposited in the name of the beneficiary (a joint account with spouse in case of a married individual).

**Option B**

In case, the villagers through the Gram Sabha do not agree for the above (option A) and demand due compensation for their assets then the following may be adopted:

- Compensating the beneficiaries in proportion to the assets as per valuation done by the Collector.
- Distributing the balance amount equally to all eligible families / beneficiaries.

The shortfall, if any, of compensation amount in proportion to the assets will be met by the State Government.

**Option-II (Carrying out relocation/ rehabilitation through the Forest Department)**

6.2.1.4. 2 hectares of agriculture land should be provided per family. In case revenue land is not available for this purpose, diversion of degraded forest land may be obtained after due clearance under the Forest (Conservation) Act, 1980.

6.2.1.5. Payment of compensation for the assets owned by individual family should be done based on the evaluation, amounting to 30% of the total package of Rs. 10 lakhs.

6.2.1.6. In case the amount for compensation for such assets covering the entire village exceeds 30% of the package, then the balance amount should be provided through funding support from the State Government.

6.2.1.7. Payment amounting to 20% of package should be provided to each beneficiary for homestead land and house construction.

6.2.1.8. An incentive amounting to 5% of the total package should be provided per beneficiary/family.

6.2.1.9. In case agricultural land is made available free of cost to the beneficiaries then the amount earmarked for the same (35% of the total package alongwith the balance amount, if any, remaining after settlement of rights) should be used for community facilities as indicated in the Guidelines of Project Tiger alongwith the 10% of the total package (to be used after depositing in a PDA account).

6.2.1.10. A community development plan should be prepared for each relocated village in consultation with the District Collector while ensuring integration of other ongoing District level schemes.

6.2.1.11. The balance amount, if any, after the community development works should be deposited in the respective Gram Sabha to benefit the relocated villagers.

6.2.1.12. A special monitoring Committee involving members of the Gram Sabha, relocated villagers, civil society institution, should be created for periodic reporting to the District Collector and the Field Director.

## 6.3. Related complementary guidelines

6.3.1. The requisite amount for each beneficiary must be deposited into a joint savings account as indicated earlier in a Nationalized Bank, and passbooks should be handed over to the beneficiaries. The Zilla Parishad should be involved in monitoring the payment and utilization of the compensation package, whether under Option I or Option II.

6.3.2. Annuity mechanisms must be developed for beneficiaries to obtain a monthly income through interest (eg. 1 lakh in savings, Rs. 3 lakhs in fixed deposit in case of option I).

6.3.3. In case of option I, the beneficiary should be given a timeline for purchase of agricultural land, construction of house etc. The amount should be allowed for withdrawal from the fixed deposit only for the creation of fixed assets.

6.3.4. The agreed amount should be given to the seller through a bank draft, and the beneficiary must indicate this in the sale deed.

6.3.5. The Forest Department (through the Field Director) must execute a MoU on stamp paper with the beneficiary as a proof of voluntary settlement.

6.3.6. Individual records of beneficiaries must be maintained at the office of the Field Director of the Tiger Reserve as well as the District Collectorate.

6.3.7. The Collector must provide each beneficiary a certificate indicating their eligibility for all schemes applicable to relocated people.

6.3.8. Handholding after relocation must be ensured through the Field Director and a District level Monitoring Committee under the Chairperson of the Zilla Parishad. In this effort, assistance of competent civil society organizations having the domain expertise may be obtained.

6.3.9. Implementation and monitoring of district level schemes in relocated villages should be done through Gram Panchayat/ Gram Sabha.

6.3.10. Village Relocation Committees (F.No.15-63/2008-NTCA, 23rd April 2010) will monitor the progress of village relocation, and a State level Monitoring Committee must oversee the process.

6.3.11. The relocation of villages from the core areas of tiger reserves should be dovetailed preferably in a State level 'Rehabilitation Act for Project Affected Persons' (as done for national park/sanctuary) by the Government of Maharashtra vide its Act No. XI of 2001. This would enable the project authority under

the said Act for ensuring the ongoing development of the relocated families.

## 7. CLARIFICATION

7.1. A 'Family' includes a person, his or her spouse, minor sons, unmarried daughters, minor brothers, unmarried sisters, father, mother and other relatives residing with him or her and dependent on him or her for their livelihood; includes "nuclear family" consisting of a person, his or her spouse and minor children (as per order No. 3-1/2003-PT).

**ANNEXE 1: CHECKLIST**

| **Stage** | Y/N | |
|---|---|---|
| **I** | Notification of core/critical habitat? If yes, copy of notification. | |
| | Certificate that village is within core area of Tiger Reserve | |
| | Consent of villagers, Gram Sabha obtained | |
| | Survey and Master list | |
| | Record of Rights | |
| | Village Relocation Proposal drawn up with involvement of District Administration | |
| | Certificate that the detailed relocation plan has been formulated on the basis of voluntary consent of beneficiaries; | |
| | Indicative time frame within which relocation will be completed | |
| **II** | Collector Committee constituted | |
| | Cut-off date | |
| | Rights and property evaluation by Committee | |
| | In case of option II: where relocated land is forest land, copy of forest clearance received from FC Division of this Ministry, and certificate stating that terms and conditions of FC have been complied with. | |
| | District Level and State Level Monitoring Committees established? | |
| **III** | Joint Account created for beneficiary and spouse | |
| | Money deposited into JA, with fixed deposit plan, passbooks to beneficiaries | |
| | MoU between FD and beneficiary | |
| | Individual files of beneficiaries maintained at Range Office, Tiger Reserve Office and Collector Office | |
| | Collector certificate to beneficiaries | |
| | Handholding procedures and Monitoring Committee | |

## ANNEXE 2: VILLAGE RELOCATION PROPOSAL FORMAT

1. Introduction
   - Name of Tiger Reserve
   - Name of village
   - Total area of village
   - Legal Status: Revenue/ Forest/ Other
   - Summary: Number of families, total human population, total livestock population, proposed site for relocation (in case of Option II), Area of proposed site and its legal status, total allocation required
2. Master List of families identified
3. Details of settlement rights
4. Details of incentives provided
5. In case of Option II:
   (a) Description of relocation site, with a map showing layout of homestead land, houses and community facility
   (b) Details of proposed work at relocation site: agricultural land (procurement/development), transportation, construction, pasture/woodlot, road access, irrigation, drinking water facility, sanitation, electricity, community centre, places of worship, burial/cremation ground
   (c) Other details: access to forest resources, irrigation, Anganwadi/school, hospital, fare price shop, telecommunication
6. Details of livelihood support and handholding
7. Grievance redressal system
8. State level monitoring and evaluation
9. Cost table and phasing

***

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

GOA BENCH, AT PANAJI

IN

PIL WRIT PETITION NO. STM 954 OF 2020

IN THE MATTER OF:

GOA FOUNDATION

... Petitioner

VERSUS

STATE OF GOA & ORS.

... Respondents

# AFFIDAVIT ON BEHALF OF THE NATIONAL TIGER CONSERVATION AUTHORITY (RESPONDENT 5) AND THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE, GOVERNMENT OF INDIA (RESPONDENT 6)

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B.M. CHANDRASHEKAR NOTARY BANGALORE KARNATAKA

GOA BENCH, AT PANAJI

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PIL WRIT PETITION NO. STM 954 OF 2020

IN THE MATTER OF:

GOA FOUNDATION

... Petitioner

VERSUS

STATE OF GOA & ORS.

... Respondents

**AFFIDAVIT ON BEHALF OF THE NATIONAL TIGER CONSERVATION AUTHORITY (RESPONDENT 5) AND THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE, GOVERNMENT OF INDIA (RESPONDENT 6)**

I, Nandavaram Subbarao Murali S/o. Sri Narayanappa Subbarao, age 54 years, Inspector General of Forests, Regional Office, National Tiger Conservation Authority (NTCA), Ministry of Environment, Forest and Climate Change, Government of India, Doresanipalya Forest Campus, Arekere Mico Layout, JP Nagar 5th phase, Bengaluru, Karnataka- 560 076, do hereby solemnly affirm and state as under:-

A. CHANDRASHEKAR NOTARY BANGALORE

National Tiger Conservation Authority, Ministry of Environment, Forest and Climate Change, Government of India, and as such well conversant with the facts and said circumstances of the case from the records maintained in the office and I am authorized and as such competent to swear in this affidavit on behalf of the National Tiger Conservation Authority and the Ministry of Environment, Forest and Climate Change, Government of India. 113

ii. That I have read and understood the contents of the petiton and file my reply to the same as under:-

1. That in respect of averments made in para 9 of the writ petition, it is stated that this is a matter of record and there is nothing to add further.

2. That in respect of averments made in paras 10 and 11 of the writ petition, there are no comments to offer.

3. That in respect of averments made in para 12 of the writ petition, it is stated that this is a matter of record and there is nothing to add further. At this juncture, it is pertinent to highlight Section 38 O (2) of the Wildlife (Protection) Act, 1972, which reads as follows;

*"The Tiger Conservation Authority may, in the exercise of its powers and performance of its functions under this Chapter, issue directions in writing to any person, officer or authority for the protection of tiger, tiger reserves and such person, officer or authority shall be bound to comply with the directions.*

*Provided that, no such direction will interfere with, or affect the rights of local people particularly the Scheduled Tribes.*

B.M. CHANDRASHEKAR NOTARY BANGALORE No:LAW 408 LCN 98 GOVT. OF KARNATAKA

*that no such direction shall interfere with or affect the rights of local people particularly the Scheduled Tribes."*

Further, Section 38 V (1) of the said Act, states that;

*"The State Government shall, on the recommendation of the Tiger Conservation Authority, notify an area as a tiger reserve."*

4. That in respect of averments made in para 13 of the writ petition, it is stated that this is a matter of record and there is nothing to add further.

5. That in respect of averments made in paras 14, 15 and 16 of the writ petition, it is stated that these are a matter of record and there is nothing to add further.

6. That in respect of averments made in paras 17, 18, 19 and 20 of the writ petition, there are no comments to offer.

7. That in respect of averments made in para 21 of the writ petition, it is stated that this is a matter of record and there is nothing to add further.

8. That in respect of averments made in paras 22, 23 and 24 of the writ petition, there are no comments to offer.

9. That in respect of averments made in paras 25 and 26 of the writ petition, it is stated that these are a matter of record and there is nothing to add further.

B.M. CHANDRASHEKAR NOTARY BANGALORE No. LAW 408 LCL 93 KARNATAKA

10. That in respect of averments made in para 27 of the writ petition, there is no comment to offer.

11. That in respect of averments made in paras 28, 29 and 30 of the writ petition, it is stated that these are a matter of record and there is nothing to add further.

12. That in respect of averments made in para 31 of the writ petition, there is no comment to offer.

13. That in respect of averments made in para 32 of the writ petition, response to para 12 is reiterated

14. That in respect of averments made in para 33 of the writ petition, there is no comment to offer.

15. That in respect of averments made in para 34 of the writ petition, in context of report of the 4th cycle of the All India Tiger Estimation, 2018, it is stated that these are a matter of record (34 f and 34 h) and there is nothing to add further.

16. That in respect of averments made in paras 35, 36 and 37 of the writ petition, there are no comments to offer.

17. That the reply of these respondents may be taken on record for further directions as deemd fit by this Hon'ble Court.

DEPONENT

B.M. CHANDRASHEKAR NOTARY BANGALORE No. LAW/408 ECL/93 KARNATAKA

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## VERIFICATION

I, the above name deponent, do hereby verify that the facts stated in the above affidavit are true and correct to my knowledge based on records and nothing material is concealed therefrom.

Verified at Bengaluru , on this the 18th day of August, 2020.

DEPONENT

B.M. CHANDRASHEKAR NOTARY BANGALORE No. LAW/408 LEL 98

SWORN TO BEFORE ME

B.M. CHANDRASHEKAR
Advocate & Notary Public
# 47, B.D.A. Complex, Koramangala,
BANGALORE - 560 034.
Mob. : 9448104253

18/8/2020

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BOOK No. ..... DATE .....

NOTARY
Janardhan S. Parsekar
Mapusa Bardez - Goa
Regd. No. 218/10
Expiry Date
29/01/2025
GOVT. OF GOA (INDIA)

**IN THE HIGH COURT OF BOMBAY AT GOA**

PIL WRIT PETITION NO.

(STM No 945 of 2020)

The Goa Foundation )... Petitioner

v/s

State of Goa & Ors )... Respondents

**AFFIDAVIT IN REJOINDER OF THE PETITIONER**

I, Dr Claude Alvares, Secretary of the Petitioner organisation, do hereby solemnly affirm and declare as under:-

1. I am filing this affidavit-in-rejoinder with reference to the affidavit in reply filed by the Inspector General of Forests on behalf of MoEF&CC (Resp No 5) and NTCA (Resp no 6) dated 18.08.2020, (hereinafter referred to as the 'UOI affidavit'). I am also filing this rejoinder in response to the affidavit in reply (undated) filed by the Chief Wildlife Warden (CWW-Resp No 3) on behalf of the State of Goa (Resp No.1), the Goa State Wildlife Board (Resp No.2) and the PCCF (Resp No 4), (hereinafter referred to as the 'State affidavit').

2. At the outset, I deny all the facts and averments in these affidavits which are not consistent with the pleadings in the PIL Writ Petition. I also state that I am not replying to each and every statement and averment made in these affidavits-in-reply and nothing may to be deemed to be admitted unless the same is specifically admitted herein but should be treated as though the same has been set out seriatim and denied and disputed specifically.

3. The present PIL has been filed in view of inordinate and inexcusable delay by the Government of Goa to notify a Tiger Reserve for the State of Goa despite multiple recommendations made in this regard by the National Tiger Conservation Authority (NTCA) -- a statutory expert body constituted and empowered under the Wildlife Protection Act to implement Project Tiger and to ensure the effective conservation and protection of tigers and their habitat in the country at large. The recommendations by the NTCA to the Government have been made under Section 38 V(1) of the WLPA which, the Petitioners submit, is a mandatory provision that the Government of Goa is bound to comply with. Further, as a consequence of the recommendations of the NTCA, a decision has also been taken by the Goa State Wildlife Board to notify a tiger reserve in the state and a draft proposal for the same was prepared in 2018. The presence of tigers in Goa's Protected Area complex is undoubted; hence a Tiger Reserve is mandatory. Thereafter, for reasons most likely connected with pressures exerted by the mining lobby, the process has halted abruptly and for the past two years there has been no progress whatsoever by the State authorities towards the setting up of the tiger reserve. It is for this reason that this PIL WP has been filed wherein the petitioner has submitted that the inaction of the authorities to notify the tiger reserve violates the provisions of the WLPA, and has resulted in a grave threat to the tigers and other wildlife within the protected areas of Goa. Immediate cause of action in fact was the unfortunate killing of 4 tigers due to human-animal conflict situations. If 4 were killed, many more must abound.

(INDIA) GOVT. OF GOA
Janardha... Mapusa Bardez
Regd. No. 218/10
Expiry Date 29/01/2025

**W.r.t the UOI Affidavit dated 18.08.2020**

4. It is heartening to read in the affidavit filed by the UOI that both the MoEF&CC and the NTCA clearly support the averments made in the PIL, more specifically the petitioner's averment made in para 12 of the petition that State Governments are statutorily bound to notify tiger reserves on the recommendation of the NTCA. In para 3 of the reply the deponent rightly highlights Section 38 (O) (2) of the Wildlife Protection Act, which empowers the NTCA to issue mandatory directions in writing to any person, officer or authority for the protection of tigers or tiger reserves and such person, officer or authority shall be bound to comply with the directions.

5. The deponent also highlights Section 38 (V) (1) of the Act which states that the State Government shall, on the recommendation of the Tiger Conservation Authority, notify an area as a tiger reserve. These two provisions of Chapter IVB, specially inserted by way of amendment in 2006 to ensure the protection of the endangered tiger species, make it abundantly clear that pursuant to a direction or recommendation of the NTCA for notifying a tiger reserve, the State Government is duty bound to comply with the same. The confirmed presence of tigers, in fact, would automatically invoke the provisions of Section IVB of the Wildlife Act.

6. It is pertinent to note that throughout the affidavit the deponent agrees that the averments in the petition are matter of record, that the facts are correctly reproduced and that there is nothing to add to them, insofar as they concern the UOI. Most importantly, the deponent does not deny or oppose any of the facts stated or submissions made in the petition.

**W.r.t to the State affidavit (undated)**

7. The State affidavit is quite in contrast to the affidavit of the UOI. The deponent has needlessly treated the petition as adversarial, when this is not the petitioner's intention at all, and the petition is solely filed to ensure the implementation of the country's prestige national project for the protection of tigers, which is being monitored at the highest levels.

8. The State affidavit raises 4 grounds to oppose the petition:

(i) It claims that Section 38(V)(1) of the WLPA is not a mandatory provision.

(ii) That the final notifications under Section 26 A required for the Wildlife Sanctuaries in Goa (except Cotigao) are still pending.

(iii) Studies and field surveys are required to be completed before the tiger reserve can be notified.

(iv) Equal protection is required to be granted to all species residing within any protected areas under the WLPA.

Each of these objections will be dealt with in the paragraphs below.

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W.r.t (i) above- Section 38(V)(1) being not a mandatory provision

9. At the very end of the affidavit, in para 25, the deponent makes a bald and casual statement that Section 38(V)(1) is not a mandatory provision. There is no further elaboration of the same. This stand is in direct contradiction to the stand taken by the UOI on the interpretation of Section 38(V)(1). Petitioner submits that this is the crux of the matter and this Hon'ble Court must decide whether, in fact, it is mandatory for the State Government to notify a tiger reserve, after tiger presence is

confirmed and after the same has been recommended by the NTCA, or whether the State Govt can exercise discretion as to whether or not it needs to act on the recommendation even if the decision would be, as in the specific case, detrimental to the conservation of the tiger population. The State is offering myriad reasons why the NTCA's recommendation is not implementable, unless various other procedures have reached a conclusion. Unfortunately, there is no assured date given by which the procedures will be completed. At any rate, the stand taken in the affidavit is that the State is not obliged at all to set up a tiger reserve as recommended by the NTCA.

10. Petitioner submits that the use of the word "shall" in Section 38 V, read with the provisions under Chapter IV -- introduced specifically for the purpose of tiger conservation -- shows that Section 38(V)(1) is mandatory. The literal rule of statutory interpretation mandates that the words of the statute be given their natural or ordinary meaning. The same has been held by the Hon'ble Apex Court in ***Khub Chand and Ors. vs. State of Rajasthan and Ors*** [AIR 1967 SC 1074], wherein it has been stated:

> 8. The term "shall" in its ordinary significance is mandatory and the court shall ordinarily give that interpretation to that term unless such an interpretation leads to some absurd or inconvenient consequence or be at variance with the intent of the legislature, to be collected from other parts of the Act. The construction of the said expression depends on the provisions of a particular Act, the setting in which the expression appears, the object for which the direction is

given, the consequences that would flow from the infringement of the direction and such other considerations.

11. While to the best of the Petitioner's knowledge, the issue of whether Section 38 V(1) is mandatory or directory has not been decided upon by any Court thus far, the SC has recognized/given effect to the position that "shall" used in S. 38(V)(3) with regard to the preparation of a Tiger Conservation Plan is mandatory in *Ajay Dubey v. NTCA* [2012 SCC ONLINE SC 875], and directed all State Governments to prepare Tiger Conservation Plans and submit the same to the NTCA.

12. Further, the Hon'ble Apex Court has also declared other provisions of the WLPA wherein the word "shall" is used as mandatory. For example, in Centre for Environmental Law, WWF v. UOI, [1998 SCC 6 4831999 AIR SC 354] Sections 33-A and 34 have been read as mandatory. In addition to the use of the word "shall", the mandatory nature of the NTCA's directions is also evident upon examination of the purpose for which the NTCA was constituted and from other provisions under Chapter IV.

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13. In 2006, on the basis of the recommendations of the National Board for Wild Life chaired by the Hon'ble Prime Minister, a Task Force was set up to look into the problems of tiger conservation in the country. The recommendations of the said Task Force, interalia, included strengthening of Project Tiger by giving it statutory and administrative powers. The NTCA was

constituted in view of the need for a statutory authority with legal backing to ensure tiger conservation. Had the NTCA been constituted with only recommendatory powers, it would not suffice this objective, or change the status quo for tiger conservation. The insertion of Section 38 O(2) which specifically empowers the NTCA to issue mandatory directions further confirms the legislative intent to ensure that the NTCA is not merely a recommendatory authority. Hence the state's position is clearly untenable and contrary to express provisions contained in the Act.

W.r.t (ii) above - Final Notification under Section 26 A required for the Wildlife Sanctuaries prior to declaration of these as Tiger Reserves

14. There are two aspects raised by the deponent in connection with this objection: (i) that final notifications under Section 26 of the WLPA have not been issued for 3 of the 4 protected areas in the state due to the pendency of the settlement of the rights of the villagers. Therefore, without the final notifications being issued, it is not appropriate to notify a tiger reserve; (ii) that notifying a tiger reserve before such rights are settled as per Sections 19-25 of the WLPA would "have adverse impact on the larger public as well as aggravate the human-tiger conflict." The deponent further states that the issue of the settlement of rights is "under process" and that ROCs have been appointed. There is no commitment made as to when the procedures will be completed.

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15. In the humble submission of the Petitioner, State is wrong on both counts. First, Petitioner submits that there is no statutory requirement that the settlement of rights to areas under a wildlife sanctuary must be completed, or that a final notification under Section 26-A must be issued, before any protected area can be notified as tiger reserve. The claim is not substantiated by any reading of the provisions of the WL Act. In fact, a number of tiger reserves have been notified in the country in exact similar situations as those prevailing in Goa. Three examples are provided in the table below, and the relevant notifications enclosed as **Annexure 1colly.**

| Sr No | Tiger Reserve | Protected Areas included | Whether final notif. issued? |
|---|---|---|---|
| 1. | Kamlang TR, Arunachal Pradesh | Kamlang wildlife Sanctuary | **No** |
| 2. | Dudhwa TR, Uttar Pradesh | Dudhwa NP, Kishanpur WS, and Katarniyaghat WS | **No** [Katarniyaghat WS] |
| 3. | Corbett TR, Uttarakhand | Corbett NP, Sonanadi WS | **No** [Sonanadi WS] |

16. It is also pertinent to note that for more than five years, from 2011 to 2016, the state government took a number of steps in pursuance of the NTCA's recommendations to declare the tiger reserve which indicates clear intent. Several meetings were held with experts and a draft tiger reserve proposal was also prepared. Not once, during this entire process, was the issue of the pendency of the settlement of rights or final

notification under section 26 for the sanctuaries brought up as a deterrent factor. The stand now taken in the affidavit is an afterthought.

17. Petitioner states that this position of the State Government is also contrary to the decision of the Supreme Court that a declaration under section 18 notifying a wildlife sanctuary is not in any way weakened by there not being a notification u/s 26A of the Act. The same is also evidenced by the definition of "sanctuary" under Section 2(26) of the Act and Section 18A of the WLPA which states that once a notification is issued under Section 18 the provisions of sections 27 to 33A (restrictions and protections afforded to a wildlife sanctuary) shall come into effect forthwith.

18. Further, the Petitioner submits that as per Section 25A of the WLPA, the proceedings under sections 19 to 25 (to be done before a final notification under Section 26A can be issued), must be completed, as far as possible, within a period of two years from the date of notification of declaration of a sanctuary under section 18. The table at para 9 of the respondent's reply itself reveals that the process of the settlement of rights has been pending in Mhadei and Netravali now for 21 years and in the case of the Bhagwan Mahaveer Wildlife Sanctuary for 53 years! Surely, this is against larger public interest and the rights of the people residing in these areas. No timeline or time limit has been provided with regard to when this process would be completed, or what the status of the settlement of rights is so far. It, in fact, appears that the state government has abandoned the process of deciding settlement rights. This is wholly in violation of the provisions of the Wildlife Protection Act and defeats the objective of declaring these areas as protected areas. In any case, this

statutorily required task must be completed at some time. This Hon'ble Court may issue necessary directions in this connection in the interests of wildlife conservation. However, the very inefficiency or passivity of government for not completing the process of adjudication cannot become a ground for opposing installation of a more effective regime laid down under the WL Act for the urgent conservation of tigers and their habitat.

19. With regard to any adverse impact or prejudice to the rights of the people, the petitioner submits that provisions under Section 38 (V) in fact, sufficiently provide for the protection of the rights of the people residing in and around a tiger reserve in far greater detail and care than if these areas are solely wildlife sanctuaries and national parks. The explanation to Section 38 (V) clearly states that only the core zone is required to be kept inviolate for the purposes of tiger conservation "without affecting the rights of the Scheduled tribes or other forest dwellers." The provisions pertaining to the buffer zone are aimed at "promoting coexistence between wildlife and human activity with due recognition of the livelihood, developmental, social and cultural rights of the local people, wherein the limits of such areas are determined on the basis of scientific and objective criteria in consultation with the Gram Sabha and an expert committee constituted for the purpose."

20. The rights of persons in fact are acknowledged in the design of the tiger reserve into core zone and buffer zone. As per the draft Tiger Reserve plan prepared by the State authorities, and the minutes of the meeting of the GSWB, main villages and human habitation have in fact already been kept outside the core zone, and placed in the buffer zone as far as

possible. Out of 745.18 sq km of the PA area to be declared a Tiger Reserve, about 578.33 sq km is to be the core zone and only 166.85 sq km is the buffer zone.

21. The Petitioner submits that it is equally concerned with the rights and lives of the common people living in these areas and is seeking relief in order to ensure that their rights as well as wildlife protection does not continue to remain suspended in limbo for another half century. Petitioner submits that if this Hon'ble Court directs a Tiger Reserve is to be notified within a time frame, the rights of the people who fall within the Tiger Reserve would in fact be better protected under the provisions of Section 38 V. Petitioner craves leave to rely upon these detailed provisions at the time of hearing.

22. The Respondent wishes to portray itself as championing the cause of the people residing within the forest vis-a-vis the endangered animal species. However, its actions (or lack thereof) are themselves wholly prejudicial to the rights of the people and the interests of wildlife, including the tiger -- both of which the Respondents are duty bound to protect.

W.r.t (iii) above -- Study and Field Survey required before notification of the tiger reserve

23. The deponent avers that the Goa State Wildlife Board (GSWB) had on 16.12.2017 directed that a study be conducted on the socio economic impacts of the tiger reserve on the local people. Further, in para 18, the deponent states that the draft map prepared for the tiger reserve was only a proposed map and the related correspondences were only of a preliminary nature -- further detailed study and extensive field survey would be required prior to acceptance and reliance on the same. The

respondent further states that declaring an area as a tiger reserve without the detailed study would further aggravate tiger human conflict and therefore it would be against the larger public interest.

24. Petitioner submits that all the correspondence, studies, maps already prepared by the Forest Department pursuant to correspondence with the NTCA clearly show that care has been taken to exclude all main habitations and settlements from the core zone, which has been restricted to forested areas largely bereft of settlements. Human settlements, where occurring, are relegated to the proposed buffer zone. Thus, as per records of the department itself, care has been taken to minimise human-animal conflict by ensuring that tigers and human settlements have little scope to interact and conflict.

25. The Petitioner is not opposed to any studies or field surveys being conducted. However, it is now over 2 years since GSWB resolved that the study be carried out, yet no action has been taken. There is not even any mention in the affidavit that such a study is even being considered in the near future. This objection therefore appears to be merely an excuse on the part of the Government not to declare the tiger reserve as recommended by the NTCA.

26. In fact, that studies and field surveys were directed to be carried out is evidence of the fact that steps were being taken by the Government to notify the tiger reserve in view of the NTCA's repeated recommendations. However, now that these field surveys and studies appear to have been abandoned and excuses are being found to delay the notification of the tiger reserve, it is absolutely necessary that this

Hon'ble Court imposes a time frame within which the tiger reserve must be notified by the Government.

W.r.t (iv) above: The protection afforded to all species residing within any protected areas are equal under the WLPA

27. In paras 13, 14 and 20, the deponent avers that protection to "all species residing within any Protected Area, be it a wildlife sanctuary, national park and/or a Tiger Reserve is equal." In other words, no special protection is required for the tiger species vis-a-vis say, deer or wild dogs. Hence, allegedly, non-declaration of an area as a Tiger Reserve would not adversely affect the tiger population in the State of Goa. This argument is simply too absurd to be propagated by an official associated with wildlife conservation, let alone a CWW.

28. Petitioners accept that all animals living in a WLS / National Park / Tiger Reserve deserve protection for these areas are meant to ensure that animals can live in their natural habitat without threat from humans. However, to argue that certain species do not deserve extra protection in view of the fact that they are endangered species is without any understanding of how the wild functions. Tigers are a keystone species, crucial for the integrity of the ecosystems in which they live. As top predators, they keep populations of prey species in check, which in turn maintains the balance between herbivores and the vegetation upon which they feed. In short, when tigers thrive, the whole ecosystem thrives. Unfortunately, tigers are also an endangered species. It is for these reasons that tigers are categorised as a scheduled species, under Schedule I of the WLPA and accorded higher protection under the Act.

29. In fact, entire chapter IVB explicitly dealing with provisions for tiger conservation came to be inserted by an amendment in the year 2006 by Parliament. No other animal species has been provided such extraordinary protection in the Act. The creation of reserves for targeted species is based on careful scientific study of the need for the conservation of the species and the consequent benefit to other wildlife and their habitat as well. Once an area is notified as a Tiger Reserve, the management of the tiger reserve comes under direct monitoring by the National Tiger Conservation Authority. No development is permitted in the tiger reserve without the approval of the NTCA.

30. Further, tiger reserves come within the ambit of Project Tiger which is a centrally sponsored scheme of the MoEF&CC. All tiger reserves are provided additional funding by the NTCA under Project Tiger. As per the Annual Report of the NTCA (2018-2019) approximately Rs.320 crores had been released by it under the project tiger scheme as grants to State Governments. The relevant extract of the annual report is enclosed as **Annexure 2**. Needless to say, the availability of additional funds ensures better management of the protected area. Further, the availability of funds enables better compensation and rehabilitation packages to the affected people as well. In fact, the shortages of funds usually complained of for conservation of a wildlife sanctuary, are simply not there in the case of the management of tiger reserves.

31. The tragic loss of 4 tigers in January, 2020 as well as the repeated recommendations by the NTCA as well as other experts to notify tiger reserves and the reasons so stated in their reports and communications clearly indicate that it is of utmost importance and urgency that a Tiger Reserve is notified in the state at the earliest.

32. The benefits of declaring a Tiger Reserve in the state have clearly been outlined in the NTCA report, 2020 which unequivocally recommends that a Tiger Reserve be declared in view of the unfortunate circumstances leading to the death of the tigers and the prevailing conditions inside the Sanctuary. The report states that "declaring the sanctuary as a Tiger Reserve will provide much needed access to technical, financial and monitoring support from the NTCA."

33. The same is also stated by the GSWB in its meeting dated 12.10.2016 (Pg 67 of the PIL) where the decision to notify a Tiger Reserve was taken. The minutes record that notifying a Tiger Reserve "will ensure a greater flow of funds from NTCA for protection and management as well as for relocation of such human habitations to outside who are willing to relocate. (sic)"

34. The Petitioner further submits that the PAs of Goa are part of the Western Ghats landscape complex which has the unique distinction of having the world's largest tiger population. This landscape has several interconnected tiger reserves and protected areas along with Reserve Forests and hence they have been declared as vital tiger corridors. Tigers roam throughout these contiguous forests unhindered by state boundaries created by humans. Inaction by the Government in Goa to notify parts of these areas as a tiger reserve and ensure the highest level

of protection to the species would impact the tiger populations in the entire Western Ghats complex.

35. At para 10, the deponent states that besides Mhadei and Bhagwan Mahaveer Wildlife Sanctuaries, no images of tigers were captured in camera traps in the other sanctuaries. I say that between January 20 and 26, 2016, rapid field surveys were carried out by the Nature Conservation Foundation, Mysore, in association with the Goa Forest Department, in five protected areas of Goa to evaluate habitat status, forest connectivity and status of the tiger and its prey species. A copy of the report dated 05.05.2017, which came into the possession of the petitioner after the PIL was filed, is enclosed as **Annexure 3.** The report confirms the presence of tigers in all 4 protected areas -- Mhadei, Netravali, Cotigao and Bhagwan Mahaveer Wildlife Sanctuary. The report also details the several threats to tiger survival in the state, unless steps are taken to remedy the same. The conclusion to the report is most relevant:

> "We recommend that the entire protected landscape of five existing protected areas (755 sq km) be declared as a Tiger Reserve with a primary core of 150-200 in Mhadei WLS and a satellite core of 100 sq.km in Netravali WLS. Declaration of this tiger reserve will also ensure protection to the catchment areas of important rivers like Mhadei, Malaprabha and Tillari and will help in ensuring continuous water availability for the three states."

36. It is pertinent to note that it is not disputed by the deponent that decisions have been taken by the State authorities to notify a tiger reserve in the State, consequent to the repeated recommendations of the NTCA.

Hence, it is only the inordinate delay and inaction of the State authorities in submitting the final proposal for approval to the NTCA that has led to this situation where Goa is yet to notify the tiger reserve. The NTCA has, on several occasions, reiterated that proposals from the State of Goa regarding tiger reserves would be viewed favourably. The state authorities are instead, using their own inefficiency and procedural delays in carrying out their statutory functions, as a ground to delay notifying a tiger reserve in the state.

37. The deponent reports that a number of measures, as recommended by the NTCA report 2020, have already been taken by the State authorities such as the preparation of management plans, increased monitoring, the use of MSTRIPES, and a revised compensation scheme for cattle kill. All these measures are laudable. They have been put in place as a response to the death of four tigers in January, 2020 but they satisfy only the bare minimum steps that are required to be taken for protection of tigers. In any case, a management plan for a wildlife sanctuary should not be confused with a Tiger Conservation plan, as mandated in Section 38 (V). Petitioner submits that this list of positive actions must therefore now lead to the implementation of the mandatory recommendation made by the NTCA -- to notify tiger reserves in the state.

Solemnly affirmed this

the 14th day of December, 2020

Deponent

(29)

**GOVT. OF ARUNACHAL PRADESH**
**DEPARTMENT OF THE ENVIRONMENT & FORESTS**
**ITANAGAR.**
**********

**No. CWL/D/159 /2014/** **Dated Sept '2016**

## Notification

In pursuance of Govt. of India's approval vide F.No.15-30(1)2015-NTCA Dated 18th Dec'2015, the Governor of Arunachal Pradesh is pleased to declare the existing Kamlang Wildlife Sanctuary as "Kamlang Tiger Reserve" under "Project Tiger Scheme" of Govt. of India w.e.f. from the date of issue this notification.

Jurisdiction of the "Kamlang Tiger Reserve" covering an area of 783.0 sq. km will be the same as that of Kamlang Wildlife Sanctuary notified vide Govt. of Arunachal Pradesh notification No. CWL/D/58/88/3175-3250 dated 18.10.1989 as shown below. The Tiger Reserve area shall be under the unified control of a Field Director (PT) with HQ at Wakro and under over all administrative control of Chief Wildlife Warden, Arunachal Pradesh, Itanagar.

Further, under section 38 V (4) (i) and 38V (4) (ii) of Wildlife (Protection) Act, 1972 as amended upto 2006, the Governor of Arunachal is pleased to notify the core area and buffer area of Kamlang Tiger Reserve respectively as described below:

## Schedule

Name : Kamlang Tiger Reserve

Area : 783.0 sq km

Boundary : As below

| | |
|---|---|
| North | Starting from a point 'A' which is the confluence of Tawa river with Lang river, at GR 777414, the boundary runs along the right bank of Lang river (Lam river), upstream, till its source at GR 001356, thence along an artificial line at a bearing of about 90° for a distance of about 700 mtrs. to the ridge 3912 at GR 006356, thence along the ridge touching the peaks 3936,3948 in southern direction, thence it follows the ridge in eastern direction up to the source of Tawa nalla at GR 044333 hence along the right bank of Tawa nalla upto its confluence with Lati river, say point 'B'. |
| East | Thence, from the point 'B' along the upstream of Lati river upto its source about 300 mtrs. East of altitude 4131 mtrs. at district boundary of Changlang and Lohit district. |
| South | Thence, the boundary follows the inter district boundary of Changlang and Lohit west wards upto the source of Tawai Brai at GR 766127. |
| West | Thence, along the left bank of Tawai Brai down stream upto its confluence with Kamlang river at GR 745218; thence, along the left bank of Kamlang river downstream upto confluence of its tributary Sina Brai at GR 726225; thence along the river bank of Sina Brai upstream upto its source at GR 750258, thence, along an artificial line at a bearing of about 340° for a distance of 200 mtr. upto the source of the tributary of Lai river at GR 748260, thence along left bank of that tributary downstream upto its confluence with Lai river at GR 755274: thence along the left bank of Lai river upstream upto its source at GR 776264: thence an artificial line at a bearing of about 10° for a distance of 350 mtr. upto the source of a tributary of Tawa river at GR 778267, thence along the left bank of that tributary downstream upto it confluence with Tawa river at GR 809307, thence, along the left bank of Tawa river downstream upto its confluence with Lang river i.e, the starting point 'A'. |

Contd.

(36)

Name: - Core area of Kamlang Tiger Reserve
Area: - 671.0 Sqkm
Boundary As below

The boundary of Core area starts from a point 1 km inside the southwest corner of Kamlang WLS (TR) at geo –coordinates 27°39'13.108" N and 96°26'6.400" E, from thence, the boundary, goes northwards 1 km parallel to reserve boundary passing through the point at geo – coordinates 27°44'27.244"N and 96°24'28.174"E, up to the point at geo- coordinates 27°53'52.998"N and 96°28'10.351"E. Thence, the boundary goes eastwards passing through the point at geo – coordinates 27°50''26.862"N and 96°35'1.165" E, upto to the point 27°47'3.304"N and 96°45'50.782"E.Thence, southwards passing through the point at geo – coordinates 27° 41'58.164" N and 96° 45'5.407"E upto the point 27° 37'56.165"N and 96°49'36.606" E .Thence westwards along the southern boundaries of Kamlang TR upto the starting point at geo-coordinates 27°39'13,108"N and 96°26'6.400"E.

Name:- Buffer area of Kamlang Tiger Reserve
Area:- 112.0 Sqkm
Boundary As below

The boundary of buffer area starts from a point 1 km inside the southwest corner of Kamlang WLS (TR) at geo –coordinates 27°39'13.108" N and 96°26'6.400" E, from thence, the boundary, goes northwards 1 km parallel to reserve boundary passing through the point at geo – coordinates 27°44'27.244"N and 96°24'28.174"E, up to the point at geo- coordinates 27°53'52.998"N and 96°28'10.351"E. Thence, the boundary goes eastwards passing through the point at geo – coordinates 27°50''26.862"N and 96°35'1.165" E, upto to the point 27°47'3.304"N and 96°45'50.782" Thence, southwards passing through the point at geo – coordinates 27° 41'58.164" N and 96° 45'5.407"E upto the point 27° 37'56.165"N and 96°49'36.606" E .Thence, east wards for 1 km where it meets the southeast corner of the reserve. From thence, northwards then westwards and then southwards along the reserve boundary upto the southwards corner of the reserve. Then, eastwards for 1 km upto the starting point.

Sd/-
(Omkar Singh)
Principal Secretary
Environment & Forests
Govt. of Arunachal Pradesh

**Memo. No. CWL/D/159 /2014/** 1680-1781 **Dated** 6th **Sept'2016**

Copy to:-

1. The Secretary to His Excellency Governor of Arunachal Pradesh, Itanagar.
2. All Secretaries, Govt. of Arunachal Pradesh, Itanagar.
3. The AG (accounts), Govt. of Arunachal Pradesh, Itanagar.
4. The DC, Lohit Dist, Tezu for information and necessary action.
5. All Deputy Commissioner, Arunachal Pradesh,
6. The Director of Information and Public relation, Govt. of Arunachal Pradesh, Naharlagun for information and necessary action.
7. The Director of Printing, Govt. of Arunachal Pradesh, Papu Hills, Naharlagun for publication in the next issue of the Gazette.
8. All CCFs Govt. of Arunachal Pradesh.
9. All the DFOs, Govt. of Arunachal Pradesh.
10. The DFO, Kamlang Wildlife sanctuary Division, Wakro for information and necessary action.
11. All Branch of this office
12. Conservation Cell /Statistic section of PCCF office.

6/9/16

(C. Muralidhar Rao)
Special Secretary (E & F)
Government of Arunachal Pradesh
Itanagar.

GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE SECRETARY (FORESTS)ITANAGAR
&&&&&&.

# N O T I F I C A T I O N

NO.CWL/D/58/88/

In exercise of the powers conferred by section 18 read with section 66 of Wildlife (Protection) Act 1972 the Governor of A.P. Is pleased to declare the part of Kamlang Reserve Forest as described below and notified vide NO.FOR.119/68 dt. 13/8/81 as Kamlang Wildlife Sanctuary in which shooting, hunting and trapping of any wild animals shall not be permitted except under & in accordance with licence issued by the Chief Wildlife Warden, A.P. or the authorised officer of the Deptt.

Schedule

District :- Lohit (Arunachal Pradesh).

| Name of Forest | Approximate area in Sq.Km. | Description of the boundary |
|---|---|---|
| Kamlang W.L. Sanctuary. | 783 Sq. Km. | North:- Starting from a point 'A' which is the confluence of Tawa river with Lang river, at GR 777414, the boundary runs along the right bank of Lang river (Lam river), upstream, till its source at GR 001356, thence along an artificial line at a bearing of about 90° for a distance of about 700 mtrs. to the ridge 3912 at GR 006356, thence along the ridge touching the peaks 3936,3948 in Southern direction, thence it follows the ridge in Eastern direction upto the source of Tawa nallah at GR 044333, thence along the right bank of Tawa nallah upto its confluence with Lati river, say point'B'. |
| | | East:- Thence from the point 'B' along the upstream of Lati river upto its source about 300 mtrs. East of altitide 4131 mtrs. at district boundary of Changlang and Lohit district. |
| | | South Thence the boundary follows the inter district boundary of Changlang and Lohit Westwards upto the source of Tawai Brai at GR 766127. |
| | | West:- Thence along the left bank of Tawai Brai down.stream upto its confluence with Kamlang river at GR 745218; thence along the left bank of Kamlang river downstream upto confluence of its tributary Sina Brai at GR 726225; thence along the right bank of Sina Brai upstream upto its source at GR 750258, thence along an artificial line at a |

P..2/-

bearing of about 340° for a distance of 200 mtr. upto the sourse of the tributary of Lai river at GR 748260, thence along the left bank of that tributary downstream upto its confluence with Lai river at GR 755274; thence along the left bank of Lai river upstream upto its source at GR 776264, thence an artificial line at a bearing of about 10° for a distance of 350 mtr. upto the source of a tributary of Tawa river at GR 778267; thence along the left bank of that tributary downstream upto its confluence with Tawa river at GR 809307, thence along the left bank of Tawa river downstream upto its confluence with Lang river i.e. the starting point 'A'

SD/-( P.P. MALHOTRA )
SECRETARY ( FORESTS)
ARUNACHAL PRADESH
ITANAGAR.

MEME NO.CWL/D/58/88/3175-3250 /Dtd. Itanagar, the 18 th/Oct/89.
Copy to:-

1. The Accountant General (Accounts),Meghalaya, Mizotam & Arunachal Pradesh, Shillong.
2. P.S. to Chief Minister, A.P. Itanagar.
3. P.S. to Minister (Forests) A.P. Itanagar.
4. All Secretaries, Govt. of A.P.
5. All Dy. Secretaries, Govt. of A.P.
6. All Dy. Commissioners/Addl. Dy. Commissioners, A.P. Itanagar.
7. The Director of Information & Public Relation A.P. Naharlagun for publication of the order in the next issue of the Gazette.
8. The Chief Wildlife Warden, AP. Itanagar for information & necessary action.
9. All Conservator of Forests, A.P.
10. All Divisional Forest Officers, A.P.
11. All branches of this office for information.
12. 20 spare copies.

( P.P. MALHOTRA )
SECRETARY (FORESTS )
ARUNACHAL PRADESH
ITANAGAR.

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suance of the provisions of clause (3) of article 348 of the constitution of India, the ernor is pleased to order the publication of the following English translation of the tification No. /X-2-2010-19(34)/2006 dated 26 Feb, 2010 for general information.

Government of Uttarakhand
Forest and Environment Section-2

## Notification

Recommended that the core area of 821.99 Sq.Km. and Buffer area of 466.32 Sq.Km, total area of 1288.31 Sq.Km of Corbett National Park Situated in the State of Uttarakhand be declared as "Tiger Reserve" as intended by National Tiger Conservation Authority, Government of India, New Delhi has vide letter No.15-1/2009-NTCA(Part)dated 09 November,2009.

2. After duly considering the Principal Chief Conservator of Forest (Wild Life) /Chief Wildlife Warden, Uttrakhand Dehradun Proposal vide letter No.810/6-4-3 camp, dated 28 Oct, 2009 regarding establishment of Corbett Tiger Reserve and the National Tiger Conservation Authority, Government of India, New Delhi letter above, the State Government considers it necessary and expedient that out of an area of 1318.54 sq. km. under control of Director Corbett Tiger Reserve vide Uttar Pradesh G.O. No 2129/14-1-94-30(5)/90 T.C. Lucknow dated 25.06.94 (As applicable to State of Uttarakhand) minus area transferred to the State of Uttar Pradesh, the remaining area 1288.31 Sq.Km the details of which are given in the Schedule below be declared as reserved for the purpose of conservation of tigers.

## Schedule

| Name of Protected Area | Block/Compartment | Area in Hectare | Legal Status |
|---|---|---|---|
| 1 | 2 | 3 | 4 |
| *1.Uttarakhand Corbett National Park* | Kanda Comptt No. 1 to 23 | 4114.80 | Notified vide Notification no. 4229 / XIV -867-62 dated 24.08.1966 under section 5 of the Uttar Pradesh National Park Act, 1935 |
| | Teria 1 to 33 | 3866.00 | |
| | Lahachaur 1 to 7 and 8 and 9 and 10 | 1127.00 | |
| | Khinanauli block | 1916.60 | |
| | Dhikala 1 to 24 | 5216.00 | |
| | Dhulwa (W) 1 to 11 | 2988.20 | |
| | Dhulwa (E) 1 to 6 | 1431.30 | |
| | Gaujpani 1 to 19 | 5106.70 | |
| | Paterpani 1 to 18 | 4503.80 | |
| | Dhara 1 to 18 | 5571.30 | |

| | | | |
|---|---|---|---|
| | Jhirna 1 to 12 | 4083.90 | |
| | Laldhang 1 to 6 | 1999.60 | |
| | Dhela 1 to 11 | 3791.10 | |
| | Mailani 1 to 18 | 6034.30 | |
| | Sawaldeh 2 | 331.80 | |
| | **Total** | **52082.40 or 520.82 sq. km.** | |
| *2.Sonanadi Wildlife Sanctuary* | Gojra 1 to 23 | 3718.20 | Notified vide Uttar Pradesh Van Anubhag-3 Notification No. 5434/14-3-139/82 dated 08 Jan, 1987 under section 18(1) of the Wildlife Protection Act. 1972. |
| | Belanala 1 to 23 | 3246.80 | |
| | Adnala 6 to 19 | 2858.70 | |
| | Tumeria 1 to 7 | 1640.60 | |
| | Shisham-khatta 1 to 7 | 1949.40 | |
| | Chiplighat 1 to 15 | 2418.40 | |
| | Laldarwaza 1 to 19 | 3388.10 | |
| | Hathikund 1 to 15 | 2702.10 | |
| | Motasal 1 to 16 | 2770.10 | |
| | Mandalti 1 to 27 | 3588.30 | |
| | Kalagarh 1 to 6 | 1836.90 | |
| | **Total** | **30117.60 or 301.17 sq. km.** | |
| *3. Buffer Area* | Dhulwa (E) 7 to 13 | 2309.60 | Reserved Forest under section 20 of the Indian Forest Act. 1927. |
| | Sawaldeh hill 1, 3 to 5 | 1384.12 | |
| | Phooltal 1 to 11 | 3555.20 | |
| | Mailani 19 | 667.30 | |
| | Dhela Bhabar 1 to 6 | 1894.40 | |
| | Sawaldeh Bhabar 1 to 58 & N1 to N6 | 2517.80 | |
| | Jaspur (N) 46 to 49 | 1465.30 | |
| | Phika D | 26.30 | |
| | Kalagarh (W) 7 & 8 | 469.00 | |
| | Nalkatta 1 to 8 | 1651.90 | |
| | Mandal 1 to 8 | 1562.90 | |
| | Mandal (E) 1 to 12 | 1848.30 | |
| | Kartiya 1, 2 | 261.80 | |
| | Kailakhand 1 to 4 | 772.50 | |
| | Dumanda (E) 1 to 6 | 1835.00 | |
| | Dumanda (W) 1 to 6 | 2525.60 | |
| | Jameria 1 to 6 | 1459.60 | |
| | Ira 1 to 3 | 783.90 | |
| | Lohachaur 8 part, 11 to 17 | 921.80 | |
| | Adnala 1 to 5 | 740.60 | |
| | Haldgaddi 1 to 23 | 4345.70 | |
| | Mandal 9, 10 | 332.70 | |
| | Khansur 1 to 23 | 3454.00 | |
| | Bijogarh 1 to 8 | 1560.90 | |

| | | |
|---|---|---|
| | Kugaddha 1 to 14 | 1301.50 |
| | Kalushashid 1 to 16 | 2652.30 |
| | Dhualakhand 1 to 14 | 2801.20 |
| | Pankhro 1 to 8 | 1520.40 |
| **Total** | | **46631.62 or 466.32 sq. km.** |
| **Total area of Corbett Tiger Reserve** | | **1288.31 Sq.km.** |

3- Therefore in exercise of the powers conferred by section 38 V (1) of the Wildlife (Protection) Act, 1972 (Central Act No. 53 of 1972) (As amended from time to time) the Governor is pleased to accord Sanction to declare 520.82 Sq.Km area of the Uttarakhand Corbett National Park and 301.17 Sq.Km area of Sonanadi Wildlife Sanctuary total Core area of 821.99 Sq.Km and Buffer area of 466.32 Sq.Km thus Total area of 1288.31 Sq.Km the details of which are mentioned in the Schedule of Para 2 above as 'Tiger Reserve'.

4- The total area of 1288.31 sq. km. of the "Tiger Reserve" as declared above shall be known as "Corbett Tiger Reserve".

5- The details of the boundaries of "Corbett Tiger Reserve" are enclosed with the Notification.

6- The Notification shall come into force from the date of its publication in the official Gazette of the State Government.

(Subhash Kumar)
Principal Secretary
Government of Uttarakhand

JUN-2010 18:08

# Uttar Pradesh Shashan
# Van Anubhag-4

In pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of notification no. 1505 /14-4-2010-872/2007 dated, 09 June, 2010.

## NOTIFICATION
## Miscellaneous

## No. 1505 /14-4-2010-872/2007
## Lucknow, Dated, 09 June, 2010

Whereas the expert Committee set up in accordance with the provisions of sub-section (4) of section 38-V of the Wildlife (Protection) Act, 1972 (Act no. 53 of 1972) under the Chairmanship of the Chief Wildlife Warden, Uttar Pradesh to identify Critical Tiger Habitat has recomended that 490.29 square kilometre area of Dudhwa National Park, 203.41 square kilometre area of Kishanpur Wildlife Sanctuary and 400.09 square kilometre area of Katarniaghat Wildlife Sanctuary, totaling 1093.79 square kilometre area should be notified as the Critical Tiger Habitat of Dudhwa Tiger Reserve, which is to be kept inviolate for conservation of tigers.

Now, Therefore, in excersice of the powers under section 38-V of the aforesaid Act, the Governor is pleased to notify that the area of 1093.79 square kilometre areas of Dudhwa Tiger Reserve, described in the Schedule below, shall be the Core or Critical Tiger Habitat for Dudhwa Tiger Reserve and be kept as inviolate for the purpose of tiger conservation without affecting the rights of the Scheduled Tribes or such other forest dwellers.

**Explanation:**

For the removal of doubts it is hereby clarified that re-localation of Scheduled Tribes and other forest dwellers from the said Core or Critical Tiger Habitat shall be carried out in accordance with the provisions of sub-section (5) of section 38-V of the aforesaid Act read with clause (b) of section 2 and sub-section (2) of section 4 of the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (Act no. 48 of 2006).

**SCHEDULE**

| Sl. No. | Name of Protected Area | Government Notification number of the Protected Area | Area (Square Kilometre) |
|---|---|---|---|
| 1 | Dudhwa National Park | U.P. Goverument Forest Section-3 Notification No. 6991/14-3-1, dated January 21,1977 | 490.29 |
| 2 | Kishanpur Wildlife Sanctuary | U.P. Government Notification No. 1111/14-3-1/1971, dated October, 7, 1972 | 203.41 |
| 3 | Katarniyaghat Wildlife Sanctuary | U.P. Government Forest section-3 notification No. 388/14-3-1, dated May 31, 1976 | 400.09 |
| | **Total** | | **1093.79** |

Chanchal Kumar Tewary
Principal Secretary.

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## ANNEX: 1

## NOTIFICATION OF KATARNIAGHAT WILDLIFE SANCTUARY

**No. 388/14-3-32/1976**
**Government of Uttar Pradesh**
**Forest Section-3**
**Lucknow, May 31, 1976**

### NOTIFICATION

Whereas the State Government understands that for the purpose of conservation and development of wildlife and their environment, the reserved forest area mentioned in the following schedule are of utmost importance from the point of view of ecology, flora and fauna, and landscape.

Now, therefore, in exercise of the powers conferred under section 18 of the Wildlife (Protection) Act, 1972 (Act no. 53 of 1972), the Governor declares the forest area as Katarniaghat Wildlife Sanctuary as detailed in the schedule with effect from the date of publication of the notification in the Gazette of India.

**Schedule**

| S. No. | Name of Forest Block and Forest Compartment | Area (ha.) |
|---|---|---|
| 1 | Motipur ( Compartment no. 1 to 59,excluding Compartment nos. 10, 14, 15, 16 and 20) | 35364 03[1] |
| 2 | Matehi Block | 23 07 |
| 3 | Taila Gaurhi | 390 67 |
| 4 | Chahelwa | 1882 66 |
| 5 | Bharathapur | 1066 83 |
| 6 | Chitalahawa | 71 83 |
| 7 | Sujauli (part) | 357 44 |
| 8 | Hariharpur Lalpur | 138 77 |
| 9 | Nishangara | 200 29 |
| 10 | Rampurwa | 22 79[2] |
| 11 | Bamaniaphanta | 20 36 |
| 12 | Ghumnabharu | 8 09 |
| 13 | Murtiha | 342 82 |
| 14 | Bandaria Gaurhi | 119 79 |
| | **Total Area** | **40009.35**[3] |

[1] After a careful examination of records, the author is of the opinion that this should have been 35264.03 ha. Please see the area statement of the Sanctuary.
[2] This should have been 22.70 ha.
[3] The total area should have been 39909.35 ha.

228

**Details of boundary:**

**Northern boundary:**

On India-Nepal international boundary from Pillar No. 85 to Pillar No 98

**Eastern Boundary:**

On India-Nepal international boundary from Pillar No 85 to reserved forest Pillar No. 65 and India-Nepal international boundary Pillar No. 65 to reserved forest Pillar No. 900 and from the eastern boundary Pillar No 900 of newly declared Murtiha reserved forest upto India-Nepal international boundary Pillar No. 61/14, from inernational boundary Pillar No. 61/14 to reserved forest Pillar No. 940 including Bamaniaphanta and from Pillar No 940 upto southern boundary of Motipur compartment no. 58 where Saryu river meets

**Southern Boundary:**

Southern boundary of Motipur compartment No 58 and 59, the line dividing Dharmapur and Motipur ranges

**Western Boundary:**

From southern boundary of Motipur compartment No. 59 from where this meets between reserved forest Pillar No. 473 and 474 upto reserved forest Pillar No 629 which includes newly declared reserved forest area of Bamaniaphanta and from reserved forest Pillar No. 629 to Pillar No. 5 and from reserved forest boundary Pillar No. 5 to Pillar No. 1 and from the western boundary of Motipur compartment No. 1 to Pillar No. 660 which includes the boundary of newly declared Sujouli reserved forest area and from reserved forest boundary Pillar No 660 to Pillar No. 670 and including newly declared Rampurwa, Hariharpur and Nishangara reserved forest areas, boundary Pillar No. 818 which includes newly declared Taila Gaurhi reserved forest area to boundary Pillar No 849 and from boundary Pillar No. 849 to boundary Pillar No. 872 which includes the reserved forest area of newly declared Bharathapur and upto boundary Pillar No 872 to 881 and from Pillar No. 881 to India -Nepal boundary Pillar No. 98 which includes newly declared Bandaria Gaurhi reserved forest area

**ANNEXURE 2**

# National Tiger Conservation Authority

**ANNUAL REPORT FOR THE FINANCIAL YEAR (APRIL 2018 TO MARCH, 2019)**

**Ministry of Environment, Forest & Climate Change**

National Tiger Conservation Authority,
B-1 Wing, 7th Floor,
Pt. Deendayal Antyodaya Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110003.

**230**

**Plan expenditure for 2018-19 (as on 31.03.2019)**

**(Rs. In Crores)**

| S. No. | Budget Head | BE 2018-19 | RE 2018-19 | Expenditure | Percentage Expenditure w.r.t. RE | Saving |
|---|---|---|---|---|---|---|
| | **Project Tiger Scheme** | | | | | |
| 1. | 3601.06.101.02.01.31 (Assistance to State Governments) Grants-in-aid General | 277.00 | 263.90 | 241.3906 | 91.47% | 22.509 |
| 2. | 3601.06.796.02.01.31 (Assistance to State Governments) Tribal Sub Plan (**TSP**), Grants-in-aid General | 17.00 | 30.10 | 30.10 | 100% | 0.00 |
| 3. | 3601.06.789.02.01.31 (Assistance to State Governments) Scheduled Caste Sub Plan (**SCSP**), Grants-in-aid General | 20.00 | 20.00 | 20.00 | 100% | 0.00 |
| 4. | 2552.00.114.06.03.31 (Assistance to North Eastern Region) Grants-in-aid General | 35.00 | 35.00 | 31.6823 | 90.52% | 3.317 |
| *5 | 2406.02.110.15.03 | 1.00 | 1.00 | 0.27 | 27.00% | 0.73 |
| | **Total** | **350.00** | **350.00** | **323.4429** | **92.41%** | **26.5571** |
| 1. | **2406.02.110.17.03 (National Tiger Conservation Authority) (Detailed Head)** | | | | | |
| (a) | 17.03.31 Grants-in-aid General | 7.20 | 8.20 | 8.1916 | 99.95% | 0.0039 |
| (b) | 17.03.36 Grants-in-aid Salaries | 1.80 | 1.80 | 1.6714 | 92.85% | 0.1286 |
| | **Total** | **9.00** | **10.00** | **9.8675** | **98.675%** | **0.1325** |

# ANNEXURE 3

## Bringing back the tiger to Goa

**Dr. A.J.T.Johnsingh -** Ex-Dean, Wildlife Institute of India, Dehra Dun; Now with Nature Conservation Foundation, Mysore; WWF- India and Corbett Foundation, Dikhuli, Uttarakhand

**R Raghunath –** Nature Conservation Foundation, Mysore

***A short report on rapid field surveys carried out by the Nature Conservation Foundation, Mysore; in association with the Goa Forest Department between January 20 and 26, 2016, in five protected areas of Goa to evaluate habitat status, forest connectivity and status of the tiger and its prey species.***

**Submitted to Goa Forest Department on 5th May, 2017.**

## Introduction

Goa, a tiny emerald land well known for its beautiful beaches on the west coast of India, was liberated from Portuguese rule in 1961. It was a part of Union Territory of Goa, Daman & Diu until1987 when it was carved out to form a separate state. Goa covers an area of 3702 sq km and comprises two revenue districts: North Goa and South Goa. Goa is bounded by the state of Maharashtra in the north, Karnataka in the east and south and the Arabian sea in the west.

Tigress camera-trapped in Mhadei WLS: Goa Forest Deparment.

Goa is a part of the coastal country known as the Konkan, which is an escarpment rising up to the Western Ghats range of mountains, which separate it from the Deccan Plateau. The Western Ghats, is a well known biodiversity hotspot with a rich diversity endemic and endangered species. The average elevation in Goa is around 800m with the highest point being Sonsogod (1027m). Geographically, Goa has three natural divisions namely the lowlands, the plateaus and the mountain region. The lowland area is mainly the coastal belt and is about 110 km long. Many beautiful beaches are along the coast in this belt. Many rivers flow east to west in this area and therefore the land is fertile and densely populated. The plateau region is between the mountain region in the east and the lowlands in the west. The altitude in the plateau ranges from 30 to 100 m. This region has an abundance of laterite

stone which is cut and used for housing construction. The land in the plateau region is not fertile. A few crops, mainly cashew and mango, are grown in this region. The mountain region is part of the Sahyadris (Western Ghats) in the eastern parts of Goa state. This part is covered with dense forest and most of the forested tracts are under the protected areas.

Goa region is drained by nine rivers flowing from East (Western Ghats) to West (the Arabian Sea). These are Terekhol, Mandovi, Zuari, Colvale, Sal, Talpona, Saleri, Canacona and Galgibag. Given the considerable extent of their drainage areas, these rivers and their tributaries play a significant role in the lives of the people of the state. Between them, the Mandovi and Zuari drain 2553 sq km of area, about 70 percent of the total geographical area of Goa. These rivers are a major source of potable water. The surface water provides irrigation facilities for agriculture and a source of transportation for people and goods.

The tropical monsoon climate in Goa makes it hot and humid through out the year because of its geographical loacation in the tropical zone and near the Arabian Sea. The climatic conditions are pleasant and normal throughout the year. The temperature generally ranges from a mean minimum of 20 degree C to a mean maximum of 35 degree C.

**The landscape: Forest type, forest cover and Protected Area Network**

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The forests of Goa are typical of the Western Ghats (southern Maharashtra and Karnataka). There is diversity in the forests due to the variation in altitude, aspect, soil characteristics and slope etc. As per Champion and Seth (1968) classification of forest types of India, the forests of Goa fall in the following types:-

(i) Estuarine vegetation consisting of mangrove species along narrow muddy banks of rivers [4 B/TS1 and 4B/TS2]
(ii) Strand vegetation along the coastal belts

(iii) Plateau vegetation confined especially to the low altitude

a. Open scrub jungle (5.E7)

b. Moist mixed deciduous forests [3B/C2]

c. Secondary moist mixed deciduous forests [3B/C2/2SI)

d. Sub-tropical hill forests [8A/C2]

(iv) Semi-evergreen and evergreen forests.

a. Semi-evergreen forests [2A/C2]

b. Lateritic semi-evergreen forests [2 E4]

c. Evergreen forests [1A/C4]

Goa state has 38.5 percent of its land under forest cover, which is higher than the national average (21 percent). In absolute terms, 1,424.38 sq. km. of area is under forest, of which 1,224.38 sq. km. is government forest and 200 sq. km. is private forest.

Mhadei WLS staff with Anil Kumar, R. Raghunath, Paresh Porab and Mangiresh, cave of leaf-nosed bats: A.J.T. Johnsingh

The protected areas in Goa cover ca. 755 sq km of the forest area. The state has six Wildlife Sanctuaries (WLS) and one National Park (NP), which cover about 20

percent of the area of the state, exceeded only by Sikkim (ca. 30 percent). These forests along Goa-Karnataka-Maharashtra border are connected to Kali TR- Bhimgad WLS landscape in Karnataka reserve forests in Sindhudurg district of Maharashtra. Hence any conservation effort here should be a collaborative effort of all the three states (Johnsingh 2015).

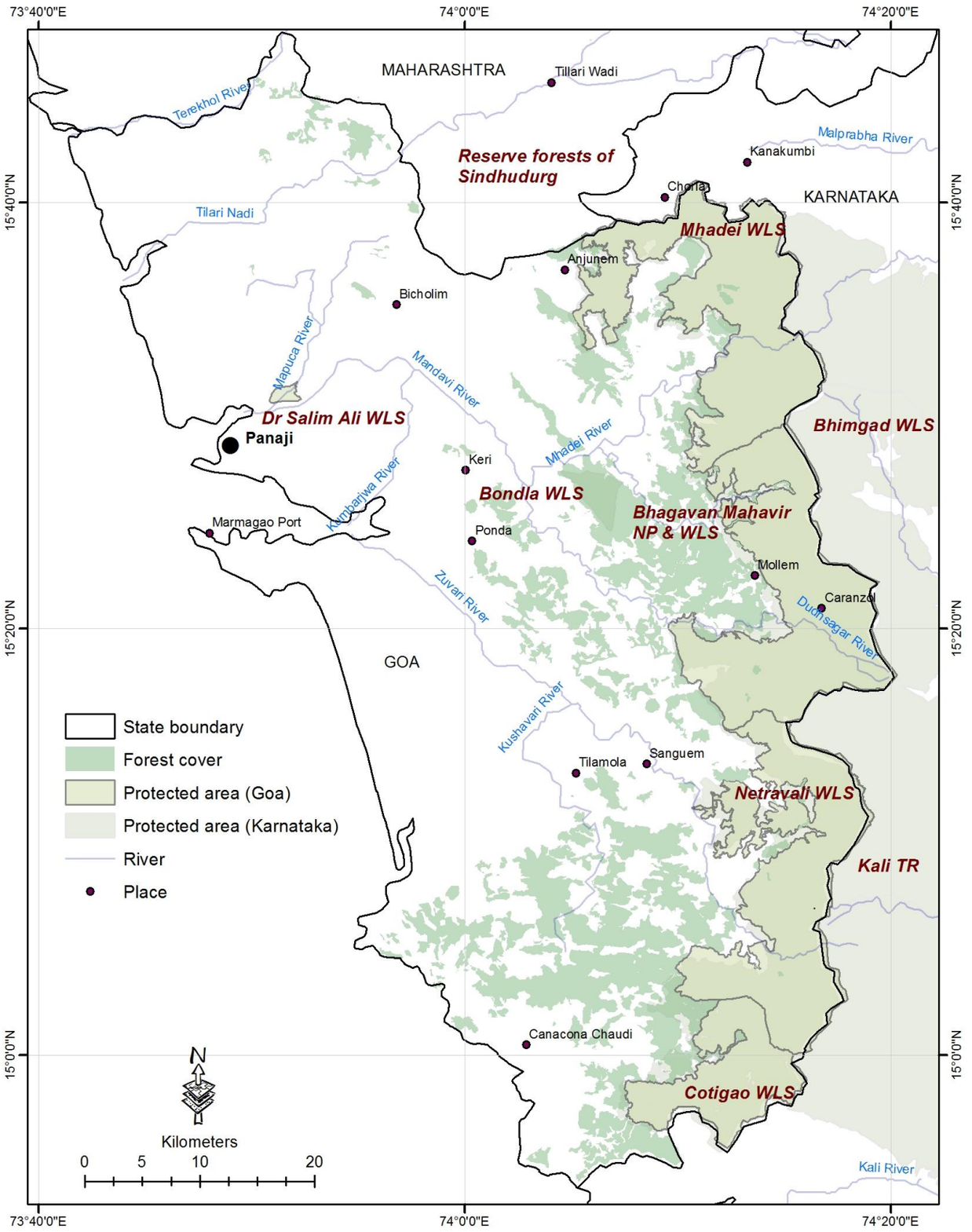


**Fig. 1. Forest cover and protected area network within Goa and the adjoining forests of Karnataka and Maharashtra.**

**Mhadei WLS:** Mhadei is the northern most WLS of Goa. Declared a WLS in 1999,it spreads over an area of 208 sq km and derives its name from Mhadei River, which flows across this sanctuary. The three highest peaks of Goa, Sonsogod (1027 m), Talvche Sada (812 m) and Vagheri (725 m), are located within this sanctuary. It is located in Sattari taluk of North Goa and is connected to Sindhudurg forests of Maharashtra and Bhimgad WLS of Karnataka.

**Bhagavan Mahavir NP & WLS:** With a combined area of 240 sq km, Bhagavan Mahavir WLS and Bhagavan Mahavir NP, form the largest contiguous wildlife protected area in Goa. The protected area is located in Sanguem and Dharbandora taluks.

**Netravali WLS:** Located in Sanguem taluk, spreads over an area of 211.05 sq km. On the southern side it is bound by Cotigao WLS and on the northern side by Bhagwan Mahavir WLS.

**Cotigao WLS:** With an area of 85.65 sq km, Cotigao WLS is the southern most Protected Area in Goa. The sanctuary has hill ranges all along the north and eastern side and slopes towards western side.

The other two wildlife sanctuaries, namely Bondla and Dr Salim Ali bird sanctuary, are isolated from the main Western Ghats. Tigers are not reported from these areas.

**Field Surveys**

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The rapid field survey was carried out between January 20 and 26, 2016 within the protected areas of Goa. It was aimed at determining the status of habitat, presence of species such as the tiger, leopard and associated prey species. The aim was to get an idea of the threats, extent, quality of forest cover and connectivity with forest areas of Karnataka and Maharashtra. Besides the overall aim was to help establish a tiger reserve in Goa. This survey also gave us an opportunity to train nearly 100 field staff in basic field survey methods and speak to them about the natural history of the flora and fauna of Goa.

With the objective of obtaining a clear picture of habitat availability and habitat use by large mammals within the landscape discussed above, we undertook a systematic study before commencing the survey. We also had discussions with officials from the Goa Forest Department, NGOs and individuals working in the landscape to better our understanding of the landscape. The efforts were mainly focused on understanding the ecological connectivity between different parts of this landscape, assess habitat quality, understand existing pressures and to use this knowledge to identify critical areas for conservation of tiger and its prey species.

**In about six field days, we covered a total distance of over 100 km by vehicle and around 58 km on foot**. **In Mhadei WLS we drove 54 km and walked 20 km, in Bhagavan Mahavir WLS and NP, we drove 10 km and walked 12 km; in Netravali WLS, we walked 20 km and traversed 29 km by vehicle; and in Cotgao WLS we drove 32 km and walked 6 km.**

**The data collected during the surveys included:**

- *Occurrence of tiger and its prey species based on evidence and direct sightings with information on the geographic location and characteristics of the habitat for direct sightings as well as indirect (e.g., droppings and tracks) evidence.*
- *Vegetation cover and land use which included a description of the dominant vegetation cover and land use along the survey routes.*
- *Besides our own observations, additional information on available and potential connectivity for large mammals was obtained by discussions with individuals who are familiar with the area and interactions with local villagers wherever possible.*

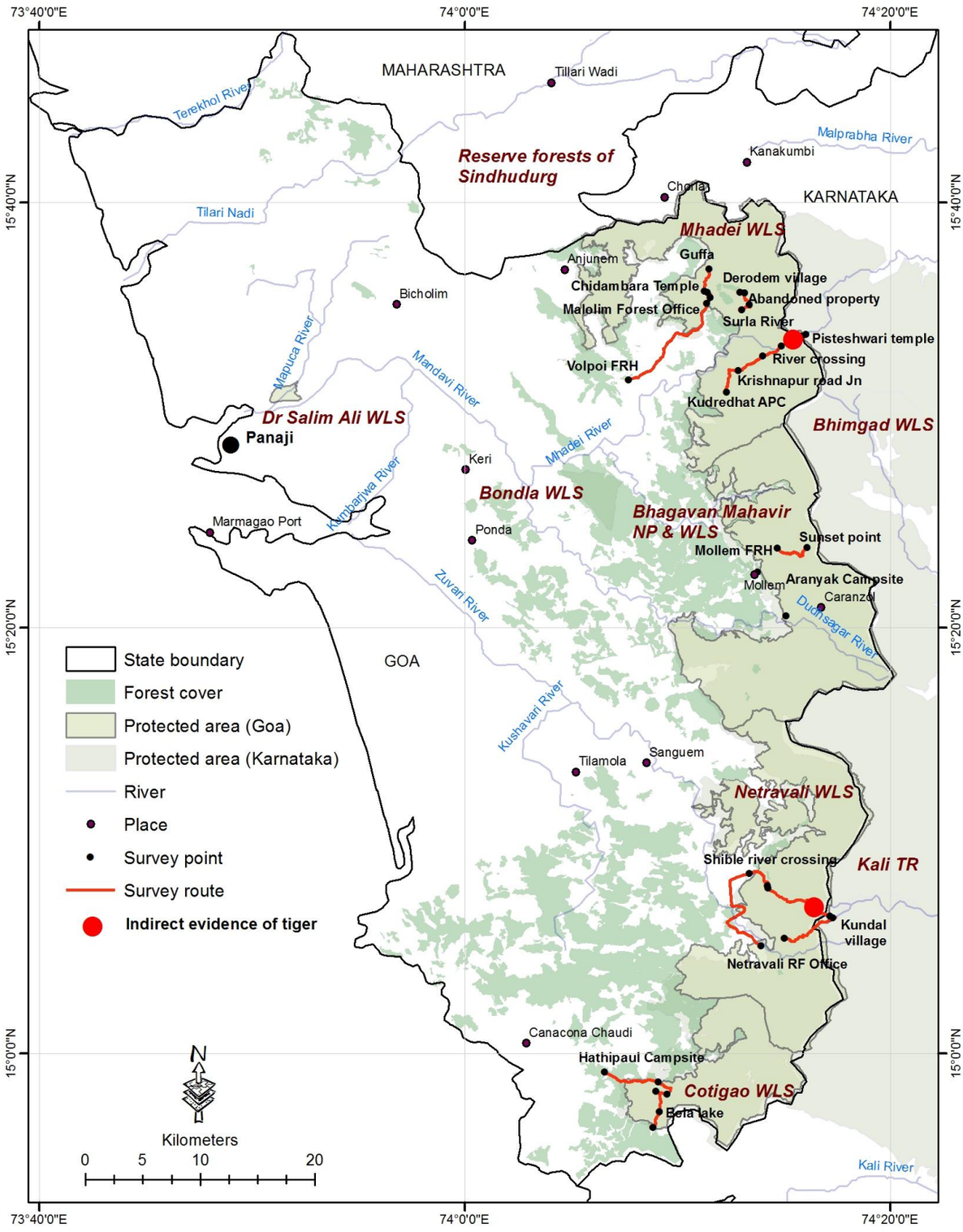


**Fig. 2. Surveyed places and trek routes within the protected areas of Goa**

Mhadei WLS staff with N. Palanikanth, R. Raghunath, Anil Kumar, Nandakumar E. Porab,Paresh Porab and Mangresh: A.J.T. Johnsingh

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**Mhadei WLS: 20/01/2016 to 22/01/2016**

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1. **20/1/2016: Evening/night drive: 40km**

**Direct sighting:**

- Common Langur – one group.
- Gaur – 10
- Python – 1

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2. **21/1/2016: Trek: 6 km (Malolim forest office to Guffa and back)**

The walk along Chidambhar trail to a cave tenanted by leaf-nosed bats (*Hipposideros sp. and Rhinolophus sp*.) with the staff (~30) of Mhadei WLS was through a teak dominated forest and then through semi-evergreen patches. The survey yielded direct sightings of gaur, common langur, three species of hornbills and a king cobra. Black wood spiders (*Nephila kuhlii*) were very common along the way. The abundance of dense cane (*Calamus thwaittesi*) growth with several climbing to the top of the trees proved that the sanctuary is possibly free from cane poaching. There were indirect evidence of leopard (scats), porcupine (diggings) and sambar (one alarm call).

**Direct sightings:**

- Gaur - 3
- Malabar pied hornbill - 2+2
- Common langur – three groups
- Malabar gray hornbill – 2+2+2
- King cobra – 1(~5feet)
- Great hornbill - 1

**Indirect evidence:**

- Indian giant squirrel call
- Leopard scats
- Porcupine digging signs
- Sambar alarm call

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3. **21/1/2016: Trek: 4km (Surla river crossing point to Derodem village bridge)**

This was a four-kilometre walk along and across the Surla River, a tributary of Mhadei. The garbage left by the members of the Goa Hiking Association in the camping ground at the beginning of the trail was an eye sore. On our way, we observed many abandoned moist fields not far from the river. Efforts could be made to convince the owners to handover these lands to the Forest Department so that they can manage the fields as a feeding and a yarding site for gaur and chital through suitable habitat management such as removal of weeds and cool season burning of grass.

Our walk ended in Derodem village. We had only one sighting each of Malabar pied hornbill and Indian giant squirrel. Paresh Porob, a dedicated Range Forest Officer of Mhadei WLS and an excellent naturalist, helped us with the identification of many of the plant species.

**Direct sightings:**

- Malabar pied hornbill -3
- Indian giant squirrel -1

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- **21/1/2016: Evening/night drive 2: 14 km**
  Sightings nil

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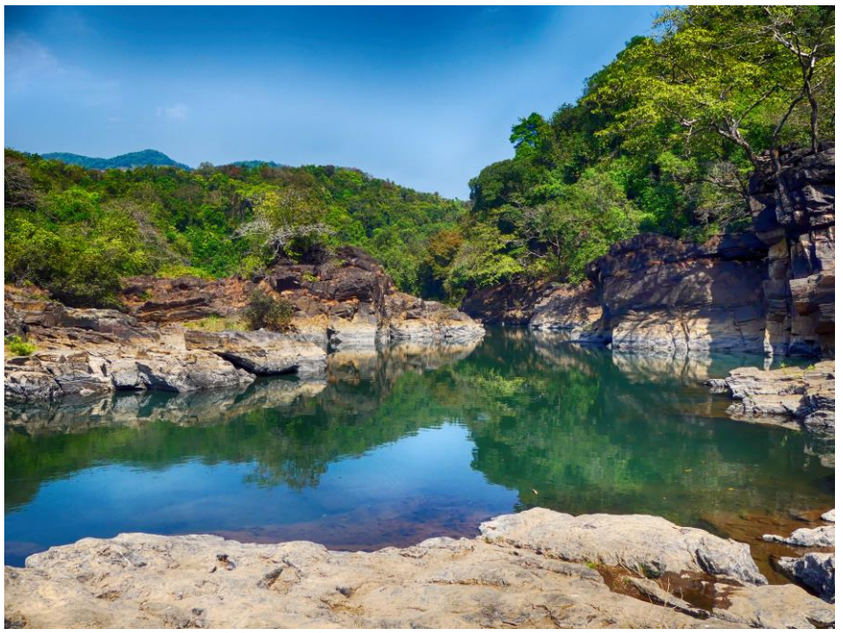
4. **22/1/2016: Trek: 10 km (Krishnapur road junction to Pisteshwari temple on the banks of Mhadei river in Bhimgad WLS)**



Pistachi kond, Bhimgad WLS: A.J.T. Johnsingh

The trek was from Krishnapur road junction in Mhadei WLS to Pistachi Kond in Bhimgad WLS in Karnataka. The staff (~20) from Mhadei WLS accompanied us. The trail was undulating, there were heavy winds, which shook off the ripe and dry leaves and even broke off dry branches from the canopy and the forest in the shaded areas was cool. There were patches of cane and the forest had several edible tree species such as *Adina cordifolia, Careya arborea, Dillenia pentagyna, Kydia calycina, Lannia coramandelica, Strychnos nux-vomica* (hornbills fondly feed on the large fruits), *Terminalia tomentosa* and below one *Flacourtia indica* tree there were lots of leaves that were dropped by the common langur. Petioles had been eaten but other parts of leaves were left uneaten. Sadly there were not many wild ungulates to feed on the leaves dropped by the langur, which usually happens in an ungulate rich habitat. Besides cane, another striking richness of Mhadei was the presence of crystal clear streams from which we directly drank water!

Vidyadhar, a dedicated fish biologist from Ashoka Trust for Research in Ecology and Environment, who has surveyed the Mhadei river reports the presence of fishes such as *Dawkinisa filamentosa* and *Hypselobarbus curmuca*. The former is a small to medium size fish with a black band near its caudal fin and the latter has red fins and can grow up to 3-4 kg. The blue-finned mahseer (*Tor khudree*), first record for Mhadei, is also reported to occur in relatively undisturbed river stretches. In Pistachi

kond fishes are fed by the visitors and the pilgrims and so they swarm to the shore when fed. The Kond near the Pisteshwari temple is a large sacred pool in the Mhadei river where fishing is not permitted. Such fish sanctuaries near the places of worship are very important as in other stretches usually there is total decimation of fishes by various unethical means primarily by dynamiting.

There were four direct sightings of common langurs but several indirect evidence of leopard (scrapes and scats), sloth bear (droppings), dhole (droppings), wild pig (droppings) and Indian giant squirrel (calls). Leopard scrapes and scats were commonly seen besides an antler rubbing sign of sambar on the trunk of a young tree. Along the trail we saw only one village, Codaval, with one house and we learnt that the family is willing to be relocated outside the forest. Near the Karnataka border we saw ***a large scat and we concluded that it could be that of a tiger***. Tigers should be ranging between Bhimgad WLS and Mhadei WLS as this seemed to be an undisturbed tract of forest devoid of human habitation. As a result here in the early summer of 2017, the forest department could get evidence of a tiger, two tigresses and two cubs with the help of camera traps (Kerkar 2017).

**Direct sighting:**

- Common langur – four groups

**Indirect evidence:**

- Indian giant squirrel call
- Wild pig dropping
- Dhole scats
- Sambar – antler rubbing signs on a tree
- Sloth bear droppings
- Bonnet macaque call
- **Tiger scat**
- Leopard scrapes

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**Bhagavan Mahavir WLS and NP: 23/01/2016**

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5. **23/1/2016: Trek: 7+5 = 12 km (Mollem NP entrance to Sunset point and back)**

Ajai Saxena, Anil Kumar, AJT Johnsingh, R. Raghunath and Nandakumar E. Parob: Madhu Saxena

The undulating walk to the Sunset point where there is a concrete watch tower was nearly 12 km. Ajai Saxena, Principal Chief Conservator of Forests and 20 staff from Mollem WLS, accompanied us. The elevation at the starting point of the trail was around 100 m and the tower is situated at an altitude of 600 m. All along the trail there were heaps of porcupine droppings as well as leopard scrapes. One leopard dropping had short and soft porcupine quills indicating that the leopard had had a meal of the porcupine! Five groups of common langurs were seen. Six sloth bear droppings, one on the tower, and five gaur dung were also observed on the way. In one location, there were many bushes of the Flame of the woods (*Ixora coccinea*) with their attractive scarlet flowers. While walking up to the tower, on two occasions we spotted the tiger centipedes (*Scolopendra hardwickei*), which can alarm jungle babblers, hastening through the leaf litter. We also heard the calls of the Common langur and Malabar pied hornbills in the deep valley to our right.

**Direct sighting:**

- Common langur – five groups

**Indirect evidence:**

- Porcupine droppings (~80 in 4 km)
- Leopard scrapes (~30)

- Gaur dung (~5)
- Malabar pied hornbill call
- Sloth bear droppings (~5) + 1 on the sunset view point

6. **23/1/2016: Evening drive from Mollem FRH to Aranyak campsite: 7km**

**Direct sightings:**

- Gaur – 8
- Peafowl – 1
- Indian gray mongoose -1

**Indirect evidence:**

- Sambar alarm call.
- Common langur call

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**Netravali WLS:** 24/01/2016

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7. **24/1/2016: Drive to Netravali Range Forest office (RFO) via Devils Canyon (3 km inside Mollem)**
   **Trek: 20 km (Netravali WLS boundary to Kundal village in Karnataka and back to Netravali RFO)**

The uphill trail along the Sigonem River in Netravali WLS started near the Sigonem village and ended in a small village, Kundal in Bhimgad WLS. The distance to the village was about 15 km but it involved a climb of nearly 600 m. The first four kilometers walk was extremely pleasant as it went through tall and dense semi-evergreen forest and parallel to the Sigonem River. Surprisingly we did not see any cane nearly for the first five kilometers although the habitat conditions appeared extremely suitable for cane.

Observing this, there was a suggestion from Ajai Saxena, to Prakash Salelkar, the dynamic Range Forest Officer of the sanctuary, that intensive planting of cane should be carried out where all possible on both the banks of the river. A Malabar tree nymph (*Idea malabarica*), a species of butterfly endemic to the low-lying evergreen forests of the Western Ghats, was sighted. There was a direct sighting of one group of langurs. Several indirect evidence of leopard (scrapes, scats), gaur (dung), sloth bear (droppings), porcupine (droppings) and smooth coated otter (feeding signs near the river) were seen. There were at least ***three big scats and scrapes, which could have been those of the tiger.***

*Idea malabarica*, endemic to low-lying evergreen forests of Western Ghats: AJT Johnsingh.

The Kundal village is situated on a plateau and after completing the climb and when we walked through the forest on the plateau we saw enormous wood cutting signs. It appears that the impact of even a small isolated village on the forests around can be enormous and extremely damaging in the long run. Tell tale signs of the wild pig in the form of digging in the forest near the village were abundant. Nearly 15 staff had accompanied us.

**Direct sighting:**

- Common langur – 6 groups.

**Indirect evidence:**

- Common langur call
- Leopard scrapes (~10)
- Leopard scats (3)
- Gaur dung
- Indian giant squirrel call
- Sloth bear droppings (~4)
- Porcupine droppings (~5)
- Otter feeding signs near the river
- **Possible tiger scat (~3) and scrape (~3)**
- Sound of Great hornbill in flight.
  Abundant wild pig digging signs near agricultural fields in Kundal village

- Common langur alarm call at 6.45 pm in the valley to the right as we walked in the darkness towards the waiting vehicles.

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**Cotigao WLS:** 25/01/2016 to 26/01/2016

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8. **25/1/2016: Trek: 6 km**

Accompanied by 15 staff, we walked about six kilometers in Cotigao WLS. We visited Tiger Tops where there was a waterhole and a machan built at a great height. The area around the waterhole was muddy, making it an ideal location to see the tracks of animals and a perfect place for animals to wallow. There was wild pig wallowing sign and a gaur had walked to the water. However, there were no sambar signs. By the end of the walk, we had seen five langur groups, a bonnet macaque group and a barking deer. There was indirect evidence of porcupine (digging signs), gaur (dung and track) and sloth bear (droppings).

**Direct sightings:**

- Common langur – five groups.
- Bonnet macaque – one group of minimum 10 individuals
- Barking deer – one
- Python – young one at the campsite

**Indirect evidence:**

- Porcupine digging signs
- Gaur dung and track
- Wild pig wallowing signs
- Sloth bear droppings
- Black-naped hare pellets

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9. **25/1/2016: Evening/night drive 1: 14km**

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10. **Direct sighting:**

- Chital – one stag in hard antler
- Gaur – one bull

11. **26/1/2016: Evening/night drive 2: 18km**

Sightings nil,

**Findings**

Our aim was to get an idea of the extent and quality of forest cover, connectivity and presence of human settlements so as to help plan a tiger reserve in Goa. As we were accompanied by nearly 100 staff and officers, the walks also gave us an opportunity to learn from them and brief the staff and officers basic ideas in natural history and conservation.

Above all, based on the night drives and walks, we could get an idea of the abundance of large mammals. During this survey with over 100 km of drive and 58 km walk looking for large mammals, we managed to sight only 22 gaur, one barking deer and one chital stag. Surprisingly no sambar was seen although we were driven reportedly through ideal sambar habitat. The highlights of this survey was the indirect evidence we obtained about the possible presence of tigers in Mhadei WLS and Netravali WLS.

It came out clearly that large mammal abundance in Goa is extremely low. Based on signs, one can surmise that two species of mammals seemed to be common in Goa—the porcupine (as numerous droppings were seen in most places) and the common langur (as in total about 26 langur groups were seen or heard). Leopard signs in the form of scrapes were also seen. But the worrying finding is the paucity of large wild ungulate prey as only 22 gaur, one chital and one barking deer were seen. No wild pig was seen although digging signs were encountered.

The existence of the sambar seems to be exceedingly rare as only two alarm calls were heard and two antler rubbing signs were seen in spite of the fact that we had walked in January—the mid period in the peak rutting season of sambar. Perhaps uncontrolled poaching in the past, occasional poaching and predation, currently keep the prey population, particularly the sambar, heavily depressed.

Goa may have 20 per cent of its area under protection but over the decades, this has not helped in increasing wildlife richness. O the contrary the abundance has only declined. The absence of extensive meadow habitats precludes the abundance of

chital. So the prey base for tiger should come largely from the sambar, wild pig and gaur.

Presently there are numerous settlements within the protected areas. Recently the farmers on the periphery of protected areas, have been given the right to own crop protection guns, after obtaining approval from the Wildlife Advisory Board. Earlier, the government had stalled such a scheme. Even today, due to paucity of prey, tigers in Goa may not be able to survive and breed just by confining their ranges within Goa. Hence their ranges should also include the adjacent forests of Karnataka and Maharashtra. The proximity of Bhimgad WLS to Mhadei WLS seems to be a great boon for tiger conservation in Goa.

**Key conservation issues and suggestions**

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In general, the primary threats to the remaining potential wildlife habitat of 755 sq.km stem from proposed quarries and mines, large scale clearing for agriculture and monoculture crops and plantations, hydroelectric projects and road development projects. Numerous villages are within this identified large patch of forest with a large population of people, which is a serious threat to wildlife as the people, largely non-vegetarians, have an inclination for poaching. Shifting cultivation and dependence of the local communities on the non-timber forest products also degrade the ecological integrity of the forests. Incidents of timber smuggling and poaching for meat from across the border are also reported to be alarming. Development of good roads with consequent increase in traffic in another serious problem threatening wildlife all over the globe and the forest areas of Goa are not an exception to this.

- Mhadei WLS, being closer to Bhimgad WLS, is in an advantageous position to have the first residential population of tigers in Goa. There are no mines within the sanctuary and with the resettlement of Codaval village, Mhadei has the potential to become the primary core of the tiger reserve. Death of animals on the Keri-Belgaum highway, which runs through Mhadei WLS for 12 km, is a problem. There was heavy traffic along the highway and when we saw a young python crossing the road, we wondered how it was possible for it to survive such a high levels of traffic. Speed breakers, visible and powerful signages, are a must on all roads that pass through forest areas to avoid animals getting killed by vehicle, which is emerging as a serious threat today.

- Bhagavan Mahavir WLS and NP have records of tiger sighting and have about 15 villages, with a total population of 400 people. There are mines within the buffer area. Stealing of cane and cinnamon is reported to be a problem. A railroad of 21 km and a National Highway of 13 km through the sanctuary has been causing death to a variety of large mammals. The Dudhsagar waterfalls in Bhagvan Mahavir WLS and NP on the Mandovi River attracts thousands of visitors, and this helps in generating good amount of revenue for the Sanctuary.
- Netravali WLS, in spite of having many villages with a total population of about 3500 people, has reports of tiger sightings as the sanctuary has connectivity with Kali TR in Karnataka. No mining occurs within the sanctuary limits. If sufficient protection is given, this sanctuary can be a safe haven for large animals. Attempts should be made to establish a satellite core of around100 sq.km within Netravali WLS.
- Cotigao WLS is connected to Kali TR and as a result tigers are reportedly range into the sanctuary. There are six villages with a population of 2500-3000 and there are reports of villagers stealing cane and cinnamon from the forests.
- It is likely that in the past the mining lobby exerted considerable influence against the establishment of a tiger reserve. We wish that this threat does not delay the establishment of the tiger reserve in Goa. .

**Conclusion**

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According to the wildlife status survey report of Goa published by the Goa forest department in 2011, tiger occupancy within the state was 322 sq km. This has increased to 622 sq km according to the 2014 Wildlife Institute of India report on the countrywide assessment of “Status of Tigers, Co-predators, Prey and their Habitat”. The population estimate for the state was five. The situation is promising as the contiguous forests of Mhadei WLS, Netravali WLS, Bhagavan Mahavir NP and WLS and Cotigao WLS of Goa, the reserved forests of Sindhudurg district in Maharashtra, Bhimgad WLS and Kali TR in Karnataka make this landscape a potential habitat for long term conservation of tiger and other associated species. This warrants co-

ordination among the three states with a common goal of retaining and strengthening connectivity and controlling poaching of prey rampant in this landscape in the past.

We recommend that the entire protected landscape of five existing protected areas (755 sq km) be declared as a Tiger Reserve with a primary core of 150-200 in Mhadei WLS and a satellite core of 100 sq.km in Netravali WLS. Declaration of this tiger reserve will also ensure protection to the catchment areas of important rivers like Mhadei, Malaprabha and Tillari and will help in ensuring continuous water availability for the three states.

The priority in the entire landscape should be control of poaching of prey. Functional anti poaching camps are a must. We need reliable informers in the villages who can provide information on the movement of poachers. The staff should be trained and motivated to control poaching and when prey poaching is brought under control there would be recovery of sambar, wild pig and gaur in the suggested tiger reserve. Periodic searches for snares around the villages, which sometimes kill even tigers, should be carried out regularly. By maintaining patches of meadow habitats efforts should also be made to increase the chital abundance. When protection measures are in place, if needed, reintroduction of sambar and chital, can be thought about. The human population in the identified satellite core area, may be in Netravali WLS, should be offered a generous package for voluntary resettlement. The long term tiger conservation goal for Goa should be to have a breeding population of minimum ten adult tigers ranging not only in Mhadei but also in Netravali, Bhagavan Mahavir and Cotigao wildlife sanctuaries. We are sure that this is bound to happen if the present leadership in the forest department continues and such leadership is perpetuated for decades to come as conservation is a never ending endeavor.

**Acknowledgements**

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We are grateful to the State Forest Department of Goa for support and cooperation during the survey. Officials and staff at various levels helped in ways too numerous to recount. We are grateful to all the forest department field staff for participating in this exercise with boundless enthusiasm.

In addition, many officers helped in the course of our work and cheerfully accompanied us during the survey.

In particular, we wish to record our thanks to Shri. Ajai Saxena, Principal Chief Conservator of Forests; Dr. Anil Kumar, Deputy Conservator of Forests Wildlife & Eco-tourism (North); N. Palanikanth, Deputy Conservator of Forests (Headquarters); Sanjay K. Waradkar, Deputy Conservator of Forests Wildlife & Eco-tourism (South); Kuldeep Sharma, Deputy Conservator of Forests Research & Utilization Division; Nanda Kumar E. Parab, Assistant Conservator of Forests Wildlife & Eco-tourism (North); Paresh Porab, Range Forest Officer (Mhadei Prakash Salelkar, Range Forest Officer (Netravali); Shri. Mangiresh, Office staff.

We also acknowledge the support and hospitality of Dr. John Britto, presently Member, State Wildlife Board, Goa. Thanks are recorded to Janhavi Rajan, Nature Conservation Foundation, Mysore and Nandini Murali, Independent Consultant, Gender, Diversity and Communications, for their invaluable help in writing this report.

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**IN THE HON'BLE HIGH COURT OF JUDICATURE OF BOMBAY AT PORVORIM, GOA**

P.I.L. Writ Petition No. 15 / 2022

**The Goa Foundation** ….Petitioner

V/s

**State of Goa & Ors** …Respondents

ADDITIONAL AFFIDAVIT OF THE PETITIONER

I, Dr. Claude Alvares, Secretary of the Petitioner organization, do hereby solemnly affirm and declare as under:-

1. I say that this affidavit is being filed to bring on record the recent letter issued by the National Tiger Conservation Authority dt. 29th September 2022, calling upon the State Government to take necessary steps to declare the Mhadei Wildlife Sanctuary as a Tiger Reserve, considering the importance of such Protected Areas in ensuring the long-term

conservation of tigers. The letter dt. 29.09.2022 is enclosed as **Annexure A.**

2. I state that the contents of paragraph 1 are correct and true to the best of my knowledge. No part of it is false and nothing material has been concealed therefrom, and the document enclosed is a true copy of the original.

Solemnly affirmed at Porvorim, Goa
This the 13th day of February 2023.

Deponent

राष्ट्रीय व्याघ्र संरक्षण प्राधिकरण
NATIONAL TIGER CONSERVATION AUTHORITY
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार के अर्न्तगत सांविधिक निकाय)
(Statutory Body under Ministry of Environment, Forest and Climate Change, Govt. of India)

**F. No. 1-12/2013-NTCA** **New Delhi, September 29th, 2022**

**To,**

**The Chief Wildlife Warden,**
**Government of Goa**

**Sub: Declaration of Tiger Reserve in Goa - reg.**

Sir,

I am directed to enclose herewith a copy of email received from Brunila De Souza, Nigvaddo, Saligao, Goa regarding the presence of tigers in Goa and the need for constituting tiger reserve, for your kind information.

In 2020, in the aftermath of death of a tigress and three cubs inside the Mhadei Wildlife Sanctuary, this Authority had requested the State to speed up the process of notifying Mhadei Wildlife Sanctuary as tiger reserve (copy enclosed).

Considering the strategic location of Goa's Protected Areas (PA) within the Western Ghat landscape and the importance of these PAs in ensuring long-term conservation of tigers, it is requested that necessary steps may be initiated for bringing the area under the ambit of NTCA.

**Encl:** As above.

Yours faithfully,

**(Rajendra G. Garawad)**
**Deputy Inspector General (NTCA)**
Email: dig2-ntca@nic.in
Tel. (EPABX): + 91 11 24367837-39
FAX: +91 11 24367836

**Copy to**: IGF, NTCA, Regional office (Southern Zone), Bengaluru, Karnataka